



# This Week in New York

**Covering New York State and City Government**

*A Publication of Pitta Bishop & Del Giorno LLC*

*February 26, 2021 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*



### **NYS to Deploy Undercover Testers to Combat Housing Discrimination Across the State**

*Fair Housing Testers Will Act as Potential Renters or Home Seekers*

New York State is partnering with nonprofit organizations to deploy undercover testers across the state to root out discrimination in home rental and sale transactions.

According to Governor Andrew Cuomo, the program will be administered by New York State Homes and Community Renewal (HCR) and will allow nonprofit housing agencies to dispatch trained fair housing "testers" to act as potential renters or home seekers to uncover unlawful discriminatory treatment by sellers, brokers, and landlords. HCR has accepted bids and is finalizing contracts with six nonprofit organizations to conduct testing in New York City, Long Island, Westchester County, and the Central New York and Western New York regions.

The Governor also announced that new regulations concerning real estate appraisers, to help combat housing discrimination, will take effect on March 17, 2021. The new regulations will require licensed and certified appraisers to receive training on fair housing and fair lending as part of their continuing education requirements. The regulation is available [here](#).

Last month, the New York State Department of Financial Services issued a report on redlining in the Buffalo metropolitan area. According to the report, Buffalo remains one of the most racially segregated cities in the United States. The DFS report found a distinct lack of lending by mortgage lenders, particularly non-depository lenders, continues today in Buffalo neighborhoods with majority-minority populations and to minority homebuyers in general.



## NYS COVID-19 Updates

The State Department of Health recently released the following updates to the State's COVID-19 reopening plan:

### **Nursing Homes** (February 26<sup>th</sup>) [Full Guidelines](#)

Effective February 26<sup>th</sup>, New York State has instituted expanded guidelines for visitation of residents in nursing home facilities in accordance with CMS and CDC guidelines. The Department of Health (DOH) recommends that visitors take a rapid test before entry into the facility, and DOH will provide rapid tests to nursing homes to facilitate their ability to test visitors on-site and at no cost. Visitation continues to depend on the nursing home facility being free of COVID-19 cases for 14 days and the facility is not currently conducting outbreak testing.

For counties with COVID-19 positivity rates between 5-10 percent on a 7-day rolling average, visitor testing is required and visitors must either present with a negative COVID-19 test, either PCR or rapid, within 72 hours or facilities may utilize rapid tests to meet the requirement. For counties with COVID-19 positivity rates below 5 percent on a 7-day rolling average, visitor testing is strongly encouraged and rapid tests may be utilized. Alternatively, visitors may provide proof of a completed COVID-19 vaccination no less than 14 days from the date of the visit and no more than 90 days prior to the visit. Visitation will not be permitted if the county's COVID-19 positivity rate is greater than 10 percent. Compassionate care visits are always permitted.

Based on the needs of residents and a facility's structure, visitation can be conducted in resident rooms, dedicated visitation spaces and outdoors. The number of visitors to the nursing home must not exceed 20 percent of the resident census at any time and the number of visitors and time allocated to visitation should be considerate of this capacity limitation.

### **Weddings and Catered Events (March 15<sup>th</sup>)** [Full Guidelines](#)

#### **General**

- Venues are restricted to 50 percent capacity, with no more than 150 people per event.
- All patrons must be tested prior to the event.
- Sign-in with contact information required to assist with potential contact tracing.
- Venues must notify local health departments of large events, above the social gathering limit, in advance.
- Masks will be required at all times except when seated and eating or drinking.
- Events will still have to be cleared with the local health departments.

### **COVID-19 Testing**

- All attendees must have proof of a negative PCR within 72 hours of the event OR proof of a negative rapid test within six hours of the event.
- Venue employees and staff will be tested on a bi-weekly basis.
- Anyone who has received both doses of the vaccine at least 14 days prior to the event are not included in the testing rules. However, venues may still require negative tests.

### **Social Distancing/Masks**

- Everyone must wear masks at all times unless sitting, eating, or drinking at their assigned table.
- All attendees must practice social distancing and remain six feet from people who are not in their immediate party, household, or family.
- Tables should be at least six feet apart and guests should be seated only with people from their immediate party, household or family whenever possible.
- Cocktail hours are allowed with strict social distancing rules. Including, people must not eat or drink with people who are not in their immediate party, household, or family.

### **Dancing/Performances**

- Live music performers must be separated from guests, especially if playing a wind instrument by at least 12 feet or a physical barrier.
- Ceremonial dances at the reception are allowed.
- Guests may dance with only members of their immediate party, household, or family seated at their table only in clearly marked zones.
- Dancing zones should be at least six feet apart from other dancing zones.
- Guests must wear masks while dancing.

### **Movie Theaters in New York City (March 5<sup>th</sup>)**

- Venues are restricted to 25 percent capacity, with no more than 50 people per screen at a time.
- Masks will be required at all times except when seated and eating or drinking.
- Assigned seating will be required in all theaters.
- Social distancing between parties will be required at all times.
- Additional staffing will be required to control occupancy, traffic, and seating to ensure compliance.
- Enhanced air filtration, ventilation and purification standards must be met by theaters.

### **Billiard/Pool Halls (March 5<sup>th</sup>)**

- Halls are restricted to 50 percent capacity outside of New York City; 35 percent capacity in New York City
- Masks will be required at all times except when seated and eating or drinking.
- Mandatory social distancing must be enforced, or physical barriers between parties of patrons/players must be installed.
- Each party must be assigned to a table to avoid comingling.
- Staff must rigorously clean and disinfect any rented or shared equipment between use.

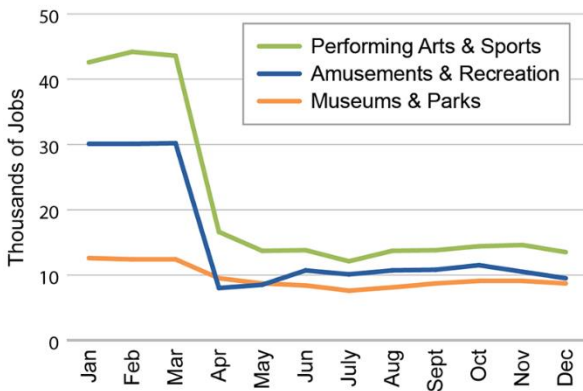
# In the News – City



## COVID-19 Causes Big Financial Hit to NYC Arts, Entertainment, and Recreation Industry

New York City’s arts, entertainment, and recreation sector saw the largest decline among all sectors in the city’s economy due to the COVID-19 pandemic, as employment declined by 66 percent over a one-year period ending in December 2020, according to a report released this week by New York State Comptroller Thomas DiNapoli.

### 2020 Arts, Entertainment & Recreation Jobs



According to the Comptroller, taxable sales declined by 76 percent between March and November in 2020. Womply, a software services company that tracks credit card transactions, estimates that as of Feb. 4, 2021, 59 percent of both arts and entertainment businesses and 63 percent of sports and recreation venues have closed temporarily or altogether since the beginning of March, the highest among all other businesses reported by the company except for bars and lounges.

Prior to the March 2020 shut down, Manhattan dominated industry activity with 76 percent of the jobs, 70 percent of the establishments, and the highest average salary among the boroughs at \$81,920. The Chelsea/Clinton/Midtown Manhattan Business District neighborhood, which contains both the Theater District and the recreation complex Chelsea Piers, had the largest concentration, accounting for nearly half (46 percent) of all arts, entertainment, and recreation jobs citywide. The Upper West Side/West Side, which includes Lincoln Center and the American Museum of Natural History, had the second-largest employment, accounting for one out of 10 sector jobs citywide.

### Share of Employment & Firms by Borough in Arts, Entertainment and Recreation

Borough	Jobs	Firms	Average Salaries	Share of Jobs
Manhattan	70,950	4,400	\$81,920	76%
Brooklyn	10,160	1,080	64,840	11%
Queens	7,100	520	61,870	8%
Bronx	3,800	130	33,540	4%
Staten Island	1,500	140	29,590	2%
<b>NYC</b>	<b>\$93,500</b>	<b>\$6,250</b>	<b>\$79,290</b>	<b>100%</b>

Comptroller DiNapoli urged the state and city to work in coordination to provide establishments with clear guidance for venues to reopen and make use of outdoor space to expand audiences. He asserted that a joint partnership better facilitates the flow of federal relief and healthcare supplies to individuals and businesses.

In addition, The Comptroller called on federal, state, and city officials to collaborate to manage risks to the industry for the duration of the pandemic. These actions include:

- Extending unemployment relief commensurate with need, including extended relief for freelancers and self-employed workers;
- Providing establishments with defined and achievable milestones for reopening that are aligned at the city and state levels;
- Enabling the use of outdoor space with flexible guidelines and simple permitting processes as weather warms;
- Facilitating the flow of federal funding to firms and not-for-profit organizations through outreach and technical assistance; and
- Delivering healthcare supplies, including rapid tests and personal protective equipment, so that venues can reopen safely.



## Recovery for All of Us: Mayor Extends JFK Lease Ensuring Airport Construction, Over 20,000 Jobs

Mayor Bill de Blasio this week extended the Port Authority's lease at JFK Airport to 2060, securing the Airport construction projects that are estimated to create over 20,000 jobs and investing \$10 to \$15 billion in new infrastructure in New York City.

The Mayor signed an Emergency Executive Order to extend the Port Authority's lease at JFK Airport from 2050 to 2060. The lease extension includes assurance that the new construction project will abide by the community benefits package, which requires at least 30 percent workers of color, ensures at least 30 percent of the contractors are Minority- and Women-Owned Businesses (MWBE), establishes new apprenticeship and scholarship programs for the surrounding community, and requires the new building meets strict environmental standards.

The community benefits package includes:

**Workforce Development, including Community Hiring:** Requirement for 30 percent minority hires and 7 percent women hires across all construction trades with a higher 40 percent minority hires among Laborers; Best efforts to hire from zip codes around JFK Airport followed by all of Queens; fund new pre-apprenticeship programs prioritizing local residents in coordination with the Building & Construction Trades Council of Greater NY; Expand Council for Airport Opportunity in downtown Jamaica and Far Rockaway to facilitate long term local hiring; Commitment to fund an Office of Second Chance Employment to connect formerly incarcerated individuals or those with past involvement in the criminal justice system with jobs at the airport.

**Business Development:** Requirement for 30 percent MWBE contracting across financing, construction, design and operations, including prioritization of local MWBE; hiring independent MWBE compliance consultants to focus on meeting, monitoring, and reporting on MWBE goals; develop a Business Development Opportunity Center to facilitate local capacity building and matchmaking focusing on local MWBEs.

**Education Programs:** Continue scholarship programs for local high school students; funding for an aviation focused STEM program at York College for local middle school students; continuation and expansion of a summer minicamp in collaboration with the Eastern Queens Alliance to educate middle school students on environmental stewardship and sustainability; participation in multiple high school career fairs annually; continue a local internship program.

**Environmental Sustainability:** Minimum LEED Silver at new terminals; new terminals will transition diesel fuel powered ground service equipment with electric; require lowest reasonable emissions use for construction equipment including limiting engine size, requiring electric vehicles when possible, and strict idling restrictions; implement marine-based barging of materials to reduce delivery trucks on roadways; low emissions vehicle shuttle service from Aqueduct to JFK for all construction crews.

## Briefs

### State Department of Labor Launches New ID Verification Tool to Fight Unemployment Fraud, Speed Processing of Claims

Governor Andrew Cuomo this week announced the launch of a new identity verification tool, [ID.me](#), to fight unemployment benefit fraud and help New Yorkers with bona fide claims verify their identities and receive benefits faster.

The Department of Labor has identified over 500,000 fraudulent claims and stopped over \$6.4 billion in payments to criminals since the start of the pandemic and distributed over \$70 billion in legitimate unemployment benefits to 4.2 million New Yorkers since March 2020.

Under the new process, New Yorkers will receive an email or text message from the Department of Labor, asking them to use [ID.me](#) to quickly and easily verify their identity online. This upgrade will be particularly impactful for victims of identity theft who then file legitimate unemployment benefit claims themselves and have to prove their identity.

### State Education Department Warns of Phishing Scam Targeting Licensed Professionals

The New York State Education Department this week is warning licensed professionals in New York State about a scam involving telephone calls from individuals posing as NYSED employees or law enforcement officials. The scam is targeting such licensed professionals as physicians and pharmacists.

Callers are requesting the professional's social security number and an immediate bond payment under the guise that the professional's license has been suspended and payment is required to reverse the suspension and avoid further charges.

According to SED, the Department will never telephone or fax any individual to request a bond fee or payments related to an ongoing investigation of professional misconduct. SED suggests that if a professional receives such a phone call, to hang up immediately and report it to the proper law enforcement authorities.

## State Department of Health's Cannabinoid Hemp Program Now Accepting License Applications

The New York State Department of Health (DOH) is now accepting applications from businesses seeking to operate as cannabinoid hemp processors, retailers, or distributors.

The applications are available on the Cannabinoid Hemp Program's webpage [here](#). Cannabinoid hemp products include many CBD products currently available for purchase, including tinctures, vaporizations, oils, topicals, pills, capsules, and food or beverages.

## Bill Signed by the NYC Mayor

**Intro. 374-A (Council Member Brannan):** This bill disqualifies persons from holding office of Mayor, Public Advocate, Comptroller, Borough President or Council Member if they have been convicted of felonies, or convicted of an attempt or conspiracy to commit a felony relating to public corruption, including: grand larceny of public funds, theft, or bribery concerning programs receiving federal funds, making false statements if committed through the use of, or in connection with, such person's elected office, wire and mail fraud, or interference with commerce by threats or violence.

**Intro. 1592-A (Council Member Constantinides):** This bill transfers jurisdiction of portions of Rikers Island that are not in active use as a jail site to the Department of Citywide Administrative Services beginning July 1, 2021, with the full transfer of Rikers Island to DCAS to be completed by August 31, 2027. This bill also establishes a Rikers Island Advisory Committee that will include members who were in custody on Rikers Island, members whose immediate family members were in custody on Rikers Island, and environmental justice advocates and sustainability experts. The Advisory Committee will make recommendations on the future uses of Rikers Island for sustainability and resiliency purposes.

**Intro. 1593-A (Council Member Constantinides):** This bill requires the Mayor's Office of Sustainability to study the feasibility of constructing renewable energy sources, which could include wind or solar power, and battery storage facilities on Rikers Island.

## **Mayor de Blasio Appoints Recovery Czar Lorraine Grillo**

Mayor Bill de Blasio this week named Lorraine Grillo as the Senior Advisor for Recovery, New York City's "Recovery Czar."

In this new position, Ms. Grillo will coordinate across government agencies, non-profits and the private sector. Her appointment as Recovery Czar is effective immediately, and she will begin a transition from her roles as Commissioner of the Department of Design and Construction and CEO of the New York City School Construction Authority.

Ms. Grillo began her career at the New York City School Construction Authority (SCA) over 25 years ago as a Community Relations specialist. Over the years, she held a variety of positions within the agency including Director of Government and Community Relations, Senior Director of Real Estate Services, then Executive Director/Chief of Staff to the President and then CEO.

## **Food Forward NYC: City Releases 10-Year Food Policy Plan**

Mayor Bill de Blasio and the Mayor's Office of Food Policy (MOFP) announced the release of the City's first ever 10-Year Food Policy Plan, "Food Forward NYC," a framework for a more racially and economically equitable, sustainable, and healthy food system for all New Yorkers.

Food Forward NYC is organized around five goals:

- All New Yorkers have multiple ways to access healthy, affordable, and culturally appropriate food.
- New York City's food economy drives economic opportunity and provides good jobs.
- The supply chains that feed New York City are modern, efficient, and resilient.
- New York City's food is produced, distributed, and disposed of sustainably.
- Support the systems and knowledge to implement the 10-year food policy plan.

## **COBA President Calls "Triple Shifts" Deplorable Working Conditions**

New York City Correction officers are still being forced to work triple shifts — a full 24 hours — during the COVID-19 pandemic, despite recognition from Mayor Bill de Blasio that "this will never happen again."

President of the Correction Officers' Benevolent Association Benny Boscio Jr. said that over 1,500 of his members have been forced to pull triple shifts since the start of the pandemic and at this point there appears to be no relief in sight, despite Mayor de Blasio's April 2020 tweet pledging "The idea of a 24 hour shift being imposed on our Corrections Officers was a mistake and NEVER should have happened. To New York's Boldest: you're vital to keeping our city safe. I promise we have your back and that this will never happen again."



“This is the reality of what correction officers are going through today: Triple shifts, no meals, we have officers having to sleep in their cars because they’re afraid to drive home because they’re too tired,” Boscio said.

Last year, the Correction Officers' Benevolent Association, the Correction Captains' Association, and the Assistant Deputy Wardens'/Deputy Wardens' Association were forced to sue the Department of Correction to stop the practice. The unions were successful in this challenge, but the City appealed, and the unions were unable to post the required bond of nearly \$40 million to pursue the appeal.

A recent [PIX11 report](#) details the conditions which the COBA president asserts are “deplorable” and “unacceptable.”

## **NYC Schools Chancellor Steps Down**

### ***Bronx Executive Superintendent Meisha Porter to Begin as Chancellor March 15th***

NYC Schools Chancellor Richard Carranza is stepping down, according to an announcement by Mayor Bill de Blasio.

Bronx Executive School Superintendent Meisha Porter, who has led community school districts 7 to 12 and New Visions Affinity schools since 2018, will succeed Mr. Carranza. She will take full control of schools on March 15.

A Queens native, Ms. Porter started her career as a youth organizer in Highbridge and joined the city’s Department of Education as a teacher at the Bronx School for Law, Government and Justice. She also spent three years as superintendent of District 11, which covers the areas of Pelham Bay Parkway, Eastchester and Woodhaven in the Bronx.

“As a lifelong New Yorker, a product of our City’s public schools, and a career educator, it is the honor of my lifetime to serve as Chancellor,” Ms. Porter said.

# ***Coming Up***

## ***New York State***

### ***Monday March 1st***

***Assembly Session, NYS Capitol Building, Online Meeting, (<https://www.nyassembly.gov/>), 2:00 p.m.***

***Senate Session, NYS Capitol Building, Online Meeting, (<https://www.nysenate.gov/>), 3:00 p.m.***

## ***Tuesday March 2nd***

*Senate Session, NYS Capitol Building, Online Meeting, (<https://www.nysenate.gov/>), 3:00 p.m.*

*Assembly Session, NYS Capitol Building, Online Meeting, (<https://www.nyassembly.gov/>)*

## ***Wednesday March 3rd***

*Senate Session, NYS Capitol Building, Online Meeting, (<https://www.nysenate.gov/>), 11:00 a.m.*

*Assembly Session, NYS Capitol Building, (<https://www.nyassembly.gov/>),*

## ***Thursday March 4th***

*Senate Session, NYS Capitol Building, Online Meeting, (<https://www.nysenate.gov/>), 11:00 a.m.*

*Assembly Session, NYS Capitol Building, Online Meeting, (<https://www.nyassembly.gov/>), 2:00 p.m.*

*Joint Public Hearing: Topic- The Difficulty of Taxi/Delivery Drivers Across NYS, Online Hearing, (<https://www.nysenate.gov/events>) 2:00 p.m. 8:00 p.m.*

## ***New York City***

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

*Committee on Hospitals, Remote Hearing (Virtual Room), 10 a.m.*

Oversight – Access to language services and equitable care in NYC Hospitals during COVID-19.

*Committee on Women and Gender Equality, Remote Hearing (Virtual Room 2), 10:00 a.m.*

Oversight – Women.NYC

### ***Tuesday March 2nd***

*Committee on Contracts, (Virtual Room #1), 10:00 a.m.*

### ***Wednesday March 3rd***

*Committee on Higher Education, (Virtual Room #1), 10:00 a.m.*

### ***Thursday March 4th***

*Subcommittee on Zoning and Franchises, Remote Hearing Virtual Room #1), 10:00 a.m.*

*Committee on Sanitation and Public Waste Management, Remote Hearing (Virtual Room #2), 2:00 p.m.*

*City Council Stated Meeting, Remote Hearing Virtual Room 1), 1:30 p.m.*

*Committee on Public Housing, Remote Hearing (Virtual Room #2), 11:00 a.m.*

**Friday March 5th**

*Committee on Housing, Remote Hearing (Virtual Room #1), 10:00 a.m.*

**“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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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