

# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

January 11, 2019 Edition

## In the News – State



### More Than \$35 Million in Stolen Wages Returned to Workers in 2018

#### 35,840 New Yorkers Received Wages Owed

Governor Andrew Cuomo this week announced more than \$35 million was returned to over 35,000 victims of wage theft in 2018 - continuing the state Department of Labor's efforts to stand up for workers being denied wages. Since the Governor took office, the State has recovered and returned over \$285 million to more than 250,000 workers (the highest total in the nation).

"New York State will not tolerate theft of wages in any form, and any employer that attempts to unlawfully withhold wages from their hardworking employees will be held responsible," Governor Cuomo said. "We are proud to have recovered and returned the highest amount of denied wages in the country, and we will continue to protect the hard-earned wages of men and women throughout the state."

The following table provides a regional breakdown of the \$35,370,000 distributed to 35,840 victims of wage theft and prevailing wage underpayments in 2018:

Region	Amount Disbursed	Number of Workers
Capital Region	\$1,119,781.60	1,965
Central New York	\$840,798.78	1,036
Finger Lakes	\$1,833,320.96	3,364
Long Island	\$4,896,831.49	3,133
Mid-Hudson	\$4,389,209.97	4,806
Mohawk Valley	\$350,624.11	1,434
New York City	\$17,371,962.07	14,987
North Country	\$199,710.31	337
Southern Tier	\$346,165.36	385
Western New York	\$2,322,075.01	3,410
Statewide*	\$1,699,520.64	983
<b>TOTAL</b>	<b>\$35,370,000.30</b>	<b>35,840</b>

\* Statewide recoveries are paid out to workers in multiple regions

According to the Governor, some of the most common ways employers steal wages include:

- Paying tips only.
- Paying a day rate for work performed that is sub-minimum wage when hours worked are counted.
- Not paying an overtime rate for hours worked over 40 in a payroll week.
- Not paying for travel time between work assignments in the same day.
- Withholding final paychecks.
- Not paying for "training" time.
- Charging employees for required uniforms or equipment.



## A New Era Begins

### *Senate Majority Leader Stewart-Cousins Guides Progressive Plan*

Shattering the 241-year-old glass ceiling in the New York State Senate, Majority Leader Andrea Stewart-Cousins took the helm of the State's upper house and laid out a progressive agenda for 2019 and beyond.

“We are going to tell the country that New York is about building opportunities; not about building barriers, walls,” Majority Leader Stewart-Cousins said to a State Senate now comprised of one-third women and boasting first-time senators of Iranian, Taiwanese, Columbian, and Indian descent. The Senate Majority Leader was sworn in by Chief Justice of the State Supreme Court Janet DiFiore.



Senate Majority Leader Stewart-Cousins pledged to pass election law reform, strengthen campaign-finance restrictions and ethics enforcement, and remove barriers for immigrants and transgender people. She committed to passing a bill prohibiting discrimination based on gender expression (GENDA); a bill to extend the statute of limitations for victims of child-sex abuse; and the Dream Act, which would make undocumented immigrants eligible for college-tuition subsidies to be named after former Senator Jose Peralta. The Majority Leader said the Senate would vote to make permanent a 2% cap on property-tax increases.

On the other side of the Capitol, Speaker Carl Heastie welcomed back his Assembly members, optimistic for 2019 and the chambers' long-standing progressive agenda. He thanked his members for their steadfast support of the issues (including legalization marijuana, voter reform, GENDA) which will, he asserted, finally be enacted this year.

Both houses will get right to work, with action on their agendas starting next week. The Senate will begin deliberating election law reform, GENDA, and a gender conversion therapy ban. The Assembly is scheduled to take up legislation closing the LLC loophole, offering early voting, consolidating primaries, expanding use of absentee ballots, allowing pre-registration and same-day registration legislation, expanding LGBTQ rights, and banning conversion therapy.

The week of January 20th, the Assembly is scheduled to vote on the Reproductive Health Act, which seeks to codify federal abortion rights; the Comprehensive Contraceptive Coverage Act, requiring state health insurance policies to cover contraception without co-pays; the DREAM Act, and legislation dealing with teacher evaluations.

Governor Andrew Cuomo will deliver a combined State of the State Address and Executive Budget on Tuesday, January 15<sup>th</sup>.



## **Cuomo Administration Appointments**

**Kelly Cummings** has been appointed Director of State Operations and Infrastructure. Ms. Cummings previously served as Deputy Chief of Staff and Senior Advisor to the Governor. In this role, Ms. Cummings oversaw the Governor's major infrastructure projects and priorities. Prior, Ms. Cummings was the Director of Communications for the Senate Majority. In her more than 20 years in the State Legislature, Ms. Cummings held a number of communications and policy positions in both the Senate and Assembly. She holds a B.A. from St. Lawrence University.

**Adam Zurofsky** has been appointed Director of State Policy and Agency management. Mr. Zurofsky previously served as Deputy Secretary for Energy and Financial Services. Prior to state service, Mr. Zurofsky was a Partner at Cahill Gordon & Reindell LLP, an Adjunct Professor at Fordham Law School and a member of the Brookings Institution, Governance Studies Leadership Council. He earned his J.D. from Harvard Law School and earned a B.A. in Political Science from Stanford University.

**Michael Kopy** has been appointed Governor's Office Director of Emergency Management. Mr. Kopy has served in the New York State Police for over 30 years, including as Inspector and Troop Commander. Mr. Kopy has received extensive training in emergency preparedness, including accreditations from the New York State Wildfire Academy and FEMA's National Incident Management System and has led the response to various disasters across the state. He holds a B.A. from Pace University.

**Michael Schmidt** will be nominated Commissioner of the New York State Department of Taxation and Finance. Mr. Schmidt most recently served as the Senior Economic Advisor to the Governor. He previously served as Deputy Secretary for Economic Development. Mr. Schmidt has also served as an economic policy advisor to Hillary Clinton, a policy analyst in the Office of Domestic Finance at the U.S. Department of the Treasury, and a senior financial analyst at the Yale Investments Office. He holds a J.D. and a B.A. from Yale.

**Letizia Tagliafierro** will be appointed Inspector General of New York State. Ms. Tagliafierro currently serves as Deputy Secretary for Intergovernmental Affairs and Special Counsel to the Governor. She previously served as Special Counsel for Public Safety and Deputy Commissioner of the Criminal Investigations Division at the New York State Department of Taxation and Finance, Executive Director of the Joint Commission on Public Ethics, Special Counsel for the New York State Attorney General, and Assistant District Attorney in Erie County. She received her law degree from Albany Law School and her Bachelor of Arts degree from the State University of New York at Albany.

**Judith Mogul** will be appointed Special Counsel to the Governor. In this role, she will primarily advise on public integrity and criminal justice policy initiatives. She comes to the Executive Chamber from Morvillo Abramowitz Grand Iason & Anello, PC. Ms. Mogul previously served as an adjunct professor at the Pace University School of Law and as an Assistant U.S. Attorney for the Southern District of New York. She earned her B.A. from Wesleyan University in Connecticut, and her J.D. from New York University School of Law. Ms. Mogul clerked for Judge José A. Cabranes when he served on the United States District Court in the District of Connecticut.

**Harold Moore** has been promoted to Chief Technology Officer. Mr. Moore has worked for the New York State Executive Chamber. He holds a B.A. from the University at Albany, SUNY.

**Laura Edidin** has been appointed Chief Special Counsel for Ethics, Risk and Compliance. Ms. Edidin most recently served as Chief of the Human Trafficking Unit in the Brooklyn District Attorney's Office. Before joining the District Attorney's Office, she served as the founding Chief of the Administrative Prosecution Unit at the New York City Civilian Complaint Review Board. Previously, Ms. Edidin served as an Assistant United States Attorney for the Eastern District of New York. She also served as law clerk to the Hon. Richard Owen of the Southern District of New York. Ms. Edidin holds a J.D. from the University of Chicago Law School and a B.A. from Tufts University.

**Patrick Muncie** has been appointed Deputy Communications Director for Transportation. Most recently, Mr. Muncie was a Managing Director with Tusk Strategies and Tusk Ventures. He has also served as a senior communications adviser to Manhattan District Attorney Cyrus Vance, and held several roles in the administration of Mayor Michael Bloomberg, including Deputy Press Secretary in the Mayor's Office and Senior Vice President for Public Affairs at the New York City Economic Development Corporation. He received a B.F.A. from Miami University.

**Lisa Santeramo** has been appointed Assistant Secretary for Intergovernmental Affairs. She most recently served as Long Island Director of Operations. Before joining the Executive Chamber, Ms. Santeramo served as Deputy County Executive and Chief of Staff to Suffolk County Executive Steve Bellone. Ms. Santeramo began her career in public service in the office of Congressman Tim Bishop where she served as District Director. She holds a B.A. from Stony Brook University.

## *In the News – City*



### **Mayor de Blasio: Make NYC the Fairest Big City in America**

Mayor Bill de Blasio delivered his sixth State of the City Address on Thursday, outlining a series of proposals aimed at bringing income equality across New York City. Policy promises focusing on health care, workers’ rights, and tenant protection were paired with transportation, early education, and retirement security proposals.

“Life in the fairest big city in America should never feel impossible,” said Mayor de Blasio. “New York City is already the greatest city in the world and we now need to be the greatest city to live in. That’s what the fairest big city in America means and that’s exactly what New Yorkers deserve – to live in a city where work is rewarded and all this prosperity is shared.”

The following initiatives were included in his 2019 agenda and State of the City Address:

- **Guaranteed Healthcare for All:** The Administration will launch the “largest, most comprehensive plan in the nation to guarantee health care for every New Yorker.” According to the Mayor, the plan will serve the 600,000 New Yorkers without insurance by strengthening NYC’s public option, MetroPlus, and guaranteeing anyone unable to afford or ineligible for insurance – including undocumented New Yorkers – has direct access to NYC Health + Hospitals’ physicians, pharmacies and mental health and substance use services through a new program called NYC Care. All services will be on a sliding scale.
- **Paid Personal Time:** New York City will mandate Paid Personal Time for workers. The Mayor will pursue local legislation that would require private employers with five or more employees to offer at least 10 annual days of Paid Personal Time, allowing employees to take paid time off for any purpose, including vacation, religious observances, bereavement and time with family. According to the Administration, more than 500,000 full- and part-time employees in New York City currently have no paid time off.

- **New Protections and Benefits for For Hire and Freelance workers:** The City's Department of Consumer Affairs will expand to become the Department of Consumer and Worker Protection. It will enforce City laws including Paid Sick Leave and intervene when in for-hire worker and freelancer labor issues.
- **Mayor's Office to Protect Tenants:** This newly created office will lead the City's anti-harassment and outreach initiatives across city agencies, enhance interagency enforcement and more closely engage with tenants and advocates. The City is also pursuing new local law to seize 40 of the most distressed multiple dwelling buildings annually and transition them to ownership. The City is also prioritizing Local and State legislation to increase financial penalties against landlords and auto-converting judgments into tax liens if landlords fail to make repairs.
- **Bus Acceleration and Lane Enforcement:** The Department of Transportation (DOT) will work with the Metropolitan Transportation Authority (MTA) and the NYPD to reverse the decline in system ridership and increase average speeds by 25% by the end of 2020. Initiatives include:
  - Optimize the bus network in every borough, starting with the Bronx in 2019.
  - Pursue street redesigns to improve bus movement and maximize the effectiveness of the new networks.
  - Increase the pace of bus lane installation from an average of 7 miles per year to 10-15 miles per year and add traffic-signal priority at 300 intersections per year, doubling the number of intersections where buses get green lights.
  - Improve 5 miles of existing Select Bus Service (SBS) routes per year with extended hours, restricted turns, and piloting up to 2 miles of physically separated lanes in 2019.
  - Press for all-door boarding and off-board fare collection, and improve bus stops and to restart the SBS program to fulfill our October 2017 commitment to add 20 SBS routes citywide, doubling the current number.
  - Advocate for expanded camera enforcement of bus lanes with the state legislature and the NYPD will create seven (7) dedicated tow truck teams for continual bus lane enforcement and towing.
- **Ferry Expansion:** New York City Economic Development Corporation (NYCEDC) will be expanding service from Staten Island to Lower Manhattan and the West Side of Manhattan; and from Coney Island to Lower Manhattan. NYC Ferry will add a new stop at the Brooklyn Navy Yard and a new landing at Ferry Point in the Bronx.
- **Free Eyeglasses for Pre-K and 1st Graders:** The Department of Education and the Department of Health and Mental Hygiene will provide free eye exams to all kindergarteners and first graders and Warby Parker, a City eyeglass partner since 2015, will provide free eyeglasses to all Pre-K and 1<sup>st</sup> Graders in need. The City expects over 140,000 children to receive eye exams and approximately 33,000 students to receive free eyeglasses.
- **Retirement Security for All:** Mayor de Blasio will work with the City Council to pass legislation in 2019 that requires all employers with at least five employees to either offer access to a retirement plan or auto-enroll their employees in to the City plan with a default contribution of the employees' own earnings of 5%, which can then be increased or reduced by the employee.



# Briefs

## Moody's Downgrades Del Lago Casino

Moody's Investor Services has downgraded ratings for Del Lago Casino in the Finger Lakes region for the second straight year. Moody's said Del Lago's gross gaming revenue remains well below expectation and does not believe the casino will generate enough money to cover its financial obligations over the next 12-18 months. The casino's key credit challenges include the highly competitive nature of the market. Moody's cited Oneida-run Turning Stone Casino, as well as Seneca facilities as direct competitors.

During the final days of last year's budget negotiations, Del Lago representatives asked the State Legislature and Governor Andrew Cuomo for financial assistance. The assistance was not included in the budget. Del Lago officially opened in February 2017.

## Rick Chandler Stepping Down As Buildings Commissioner

Mayor Bill de Blasio announced that Rick D. Chandler, PE, Commissioner of the New York City Department of Buildings, will be retiring from city service after 31 years with the city. Thomas Fariello, RA, the agency's First Deputy Commissioner, will serve as Acting Buildings Commissioner, effective February 1, 2019.

Mr. Fariello is a New York State Registered Architect with more than 30 years of experience in the fields of architecture and construction. Appointed First Deputy Commissioner in 2011, he also served as Borough Commissioner in Brooklyn and in the Bronx.

The New York City Department of Buildings regulates and promotes the safe and lawful use of nearly 1.1 million buildings and more than 45,000 active construction sites in New York City.

## TLC Commissioner Meera Joshi Stepping Down

Mayor Bill de Blasio announced that Meera Joshi, CEO and Chair of the New York City Taxi and Limousine Commission, plans to step down from her role in March. Commissioner Joshi's tenure has included protection and enhancement of driver earnings, citywide access to For-Hire services for persons with disabilities, and a 50% reduction of fatalities in crashes involving taxis and For-Hire vehicles. The Administration will announce a replacement for Commissioner Joshi in the coming months.

Created in 1971 by Local Law No. 12, the Taxi and Limousine Commission is a Charter-mandated agency, the purpose of which is the continuance, further development and improvement of taxi and for-hire service in the City of New York.

## **Coming Up**

### **New York State**

*The Legislature is in session Monday January 14<sup>th</sup> through Tuesday January 15<sup>th</sup>*

#### **Tuesday January 15<sup>th</sup>**

##### **Budget Oversight**

Joint Assembly Standing Committee on Local Government and Committee on Cities, Roosevelt Hearing Room C, Legislative Office Building, 2<sup>nd</sup> Floor, Albany, 1 p.m.

#### **Tuesday January 22<sup>nd</sup>**

##### **NYSERDA programs funded by the SFY 2018-2019 budget**

Assembly Standing Committee on Energy, Roosevelt Hearing Room C, Legislative Office Building, 2<sup>nd</sup> Floor, Albany, 10 a.m.

#### **Wednesday January 23<sup>rd</sup>**

##### **Recycling**

Assembly Standing Committee on Environmental Conservation, Roosevelt Hearing Room C, Legislative Office Building, 2<sup>nd</sup> Floor, Albany, 11 a.m.

### **New York City**

#### **Monday January 14<sup>th</sup>**

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

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

*Committee on Fire and Emergency Management*, Council Chambers – City Hall, 1 p.m.

*Subcommittee on Planning, Dispositions and Concession*, Committee Room – 250 Broadway, 16<sup>th</sup> Floor, 1 p.m.

#### **Tuesday January 15<sup>th</sup>**

*Committee on Youth Services*, Committee Room – 250 Broadway, 14<sup>th</sup> Floor, 10 a.m.

#### **Wednesday January 16<sup>th</sup>**

*Committee on Juvenile Justice*, Committee Room – 250 Broadway, 16<sup>th</sup> Floor, 10 a.m.



*Committee on Education*, Council Chambers – City Hall, 1 p.m.

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

*Committee on Civil and Human Rights*, Committee Room – 250 Broadway, 16<sup>th</sup> Floor, 1 p.m.

### ***Thursday January 17<sup>th</sup>***

*Committee on Consumer Affairs and Business Licensing*, Committee Room – 250 Broadway, 16<sup>th</sup> Floor, 10 a.m.

*Committee on Higher Education*, Committee Room – 250 Broadway, 14<sup>th</sup> Floor, 10 a.m.

*Committee on Technology*, Council Chambers – City Hall, 1 p.m.

*Committee on Governmental Operation*, Council Chambers – City Hall, 1 p.m.

---

**Disclaimer:** The materials in this *This Week in New York* report are provided for informational purposes only and are not intended to be a comprehensive review of legislative or governmental or political developments, to create a client-consultant/lobbyist relationship, or to provide consulting, lobbying or political advice. Readers are cautioned not to attempt to solve specific problems on the basis of information contained in this *This Week in New York*. If consulting, lobbying or government relations advice is required, please consult a professional expert in such matters. The information contained herein, does not necessarily reflect the opinions of Pitta Bishop & Del Giorno LLC, or any of its members or employees or its clients. Neither Pitta Bishop & Del Giorno LLC, nor its members or employees make any warranty, expressed or implied, and assume no legal liability with respect to the information in this report, and do not guarantee that the information is accurate, complete, useful or current. Accordingly, Pitta Bishop & Del Giorno LLC is not responsible for any claimed damages resulting from any alleged error, inaccuracy, or omission. This communication may be considered an advertisement or solicitation.

---

To request that copies of this publication be sent to a new address or fax number, to unsubscribe, or to comment on its contents, please contact Theresa Cosgrove at [tcosgrove@pittabishop.com](mailto:tcosgrove@pittabishop.com) or at (518) 449-3320.

**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.

---

*This Week in New York* is a publication of Pitta Bishop & Del Giorno LLC.

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