



This Week in New York

Covering New York State and City Government

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In the News – New York State

NY Judges Get Their Day

New York State judges are one step closer to their long awaited pay raises, as Governor David A. Paterson today signed legislation establishing the Judicial Compensation Commission.

Spearheaded by Chief Court of Appeals Judge Jonathan Lippman, the bill establishes a special commission on judicial compensation to examine, evaluate, and make recommendations with respect to compensation of State-paid judges and justices of the Unified Court System. The Commission on Judicial Compensation will consist of seven members appointed as follows: three by the Governor, one by the Speaker of the Assembly, one by the Temporary President of the Senate, and two by the Chief Judge. According to memo submitted with the legislation, the Commission is required to report its findings, conclusions, determinations, and recommendations within 150 days of its establishment.

“This legislation will go far toward making the New York State bench a magnet for the nation's best and most qualified judges,” Governor Paterson said. “The people of New York State are entitled to a strong and able judiciary that dispenses fair justice in our courts. And our judges are entitled to fair compensation. Today, I am pleased to report that a 12-year roadblock to the fair adjustment of judicial salaries has been removed.”

Under the new law, Commission would re-evaluate the judicial compensation rate every four years. The Commission would determine what the judicial salaries shall be and would make recommendations to effect any necessary changes to salaries. The recommendations would have the force of law and would become effective the next fiscal year.

According to Governor Paterson, who submitted the legislation to the Senate and Assembly during the November 29th special session, the bill is consistent with the 2010 Court of Appeals decision on judicial compensation. In the matter of *Maron v. Silver*, 14 N.Y.3d 230 (2010), the Court found that “whether the Judiciary is entitled to a compensation increase must be based upon an objective assessment of the Judiciary's needs.” Further, the court stated that the Legislature should give the matter of judicial compensation “expeditious and appropriate consideration.”

“A permanent commission dedicated to judicial compensation is a very positive development for the future of an independent and strong Judiciary in New York,” Chief Judge Lippman explained. “It will allow Judges to meet their financial obligations as public servants, and ensure that New York will always attract and retain the highest quality jurists.”

Governor-Elect's Teams Begins to Take Shape

The much anticipated and much speculated incoming Executive Chamber appointments began this week. Governor-elect Andrew Cuomo tapped nine members to offices on the State Capitol's 2nd floor. To follow are the staff biographies provided by the Governor-elect's press office.

Steven M. Cohen will serve as Secretary to the Governor. Mr. Cohen served as Counselor & Chief of Staff to New York State Attorney General Andrew M. Cuomo. Prior to joining the New York State Attorney General's Office, Mr. Cohen was a partner at Cooley Godward Kronish LLP, where he was a member of the firm's Litigation Department. Mr. Cohen also served for a decade as an adjunct professor at Columbia Law School teaching a course in federal criminal prosecutions and served as the Chair of The Mayor's Committee on New York City Marshals. Before entering private practice, from 1991 to 1998, Mr. Cohen was an Assistant United States Attorney in the Southern District of New York, where he served as Chief of the Violent Gangs Unit. Before joining the U.S. Attorney's Office, Mr. Cohen served as a law clerk to the Honorable Stanelly Sporkin, U.S. District Judge and then the Honorable Frank X. Altimari, U.S. Appellate Judge.

Mylan L. Denerstein will serve as Counsel to the Governor. Ms. Denerstein has served as the Executive Deputy Attorney General for Social Justice from January 2007 to the present managing almost 100 attorneys statewide in the areas of Charities, Civil Rights, Environmental Protection, Health Care, Labor, and Tobacco Compliance. Prior to her current appointment, Ms. Denerstein served as the Deputy Fire Commissioner for Legal Affairs for the New York City Fire Department, the largest municipal fire department in the country. From 1996 – 2005, Ms. Denerstein served in the United States Attorney's Office, Southern District, first as an Assistant United States Attorney, prosecuting complex securities and insurance fraud, money laundering and organized crime. She later became Deputy Chief of the Criminal Division where she assisted in managing the Criminal Division with over 100 Assistant United States Attorneys.

Yrthya A. Dinzey-Flores will serve as the Chief Diversity Officer. Ms. Dinzey-Flores previously served as Manager at the Toyota USA Foundation and Program Officer for National Philanthropy Programs at Toyota Motor North America. She also served as a community relations and philanthropic consultant for the Novartis Pharmaceuticals Corporation. Prior to that she was Director of the Office of School CBO Partnerships at the New York City Department of Education, managing relationships and providing support to more than 350 community-based organizations. The Chief Diversity Officer is one of three statutorily required positions within the executive chamber, along with the Secretary and the Counsel. The Chief Diversity Officer's task is to reform and strengthen the State's programs and efforts encouraging the growth of Minority and Women's Business Enterprises within the state government and in the private sector.

Andrew "Drew" Zambelli will serve as Counselor to the Governor. In that capacity he will serve as senior advisor to the Governor and be responsible for the oversight and strategic integration of the communications, inter-governmental, legislative and constituency efforts of the Office of the Governor. From 1985 to 1994, he served in the administration of Governor Mario M. Cuomo including as Secretary to the Governor from 1991 to 1994. Since 1995, he has been a market strategy and research consultant to corporate, political and non-profit clients including many Fortune 500 corporations. During

this period, he has been affiliated with Strategic Frameworking, Inc. of Washington and Massachusetts and Summit Strategy Group, LLC which he founded in 2007.

Judge Leslie G. Leach will serve as Appointments Secretary. Judge Leach was appointed Executive Deputy Attorney General for the Division of State Counsel in February 2007. Prior to the appointment, he had served since 2004 as the Administrative Judge of the Eleventh Judicial District, Supreme Court, Queens County. Judge Leach was appointed as a Judge of the Criminal Court of the City of New York by Mayor David N. Dinkins in 1993, reappointed by Mayor Michael R. Bloomberg in 2002, while serving as an Acting Justice of the Supreme Court, and was elected a Justice of Supreme Court in November 2003. He has taught Business Law at York College, CUNY, since 1982.

Howard B. Glaser will serve as Director of State Operations and Senior Policy Advisor to the Governor. During the Clinton Administration, Mr. Glaser served in several senior management roles at the Department of Housing and Urban Development, including Counselor to the Secretary, Deputy General Counsel and Deputy Assistant Secretary. After leaving HUD, Mr. Glaser was Senior Vice President and General Counsel to the Mortgage Bankers Association in Washington, DC. At the state level, Mr. Glaser served at the Department of Taxation and Finance as Special Assistant to the Commissioner and in the Executive Chamber as Special Assistant to the Governor.

Jeremy Creelan will serve as Special Counsel for Public Integrity and Ethics Reform. Mr. Creelan is currently a partner at the law firm Jenner & Block LLP. Mr. Creelan joined Jenner & Block after serving as Deputy Director of the Democracy Program at the Brennan Center for Justice at New York University School of Law. At the Brennan Center, he developed numerous high-profile cases to reform New York's election laws to protect voters' rights and reduce corruption, advocated for democratic reforms in such areas as ethics and campaign finance, and published a comprehensive analysis of the legislative process in the New York State Assembly and Senate. In 1998-99, he clerked for the Honorable Denise L. Cote, U.S. District Court for the Southern District of New York.

Benjamin Lawsky will serve as Chief of Staff. Mr. Lawsky was appointed Deputy Counselor and Special Assistant to the Attorney General in January 2007. In the Attorney General's Office, Mr. Lawsky led the nationwide investigation of the student loan industry and oversaw the investigations of Wall Street bonuses and the Bank of America-Merrill Lynch merger. Mr. Lawsky also served as General Counsel of the Cuomo 2010 campaign. Prior to joining the Attorney General's Office, Mr. Lawsky served from late 2001 until 2007 as an Assistant United States Attorney in the Southern District of New York, where he prosecuted securities fraud, organized crime, and terrorism cases. Prior to that, Mr. Lawsky was Chief Counsel to Senator Charles E. Schumer. From 1997 to 1999, he was a Trial Attorney in the Civil Division of the Department of Justice in Washington.

Adam Cohen will serve as Special Policy Advisor. Mr. Cohen is a Lecturer at Yale Law School and a fellow at the Yale Information Society Project. He was a member of the New York Times Editorial Board from 2002-2010, and before that, a journalist and a lawyer, a law fellow at the Southern Poverty Law Center in Montgomery, Alabama, and a law clerk on the U.S. Court of Appeals for the District of Columbia Circuit. He is the author of *Nothing to Fear: FDR's Inner Circle* and *The Hundred Days that Created Modern America* and *The Perfect Store: Inside eBay*, and the co-author of *American Pharaoh: Richard J. Daley: His Battle for Chicago and the Nation.*

In the News – New York City

What's In a Name

Former New York Governor Hugh Carey and Former NYC Mayor Ed Koch were not the only names put forth this week to be memorialized on the streets of New York City.

The City Council voted this week to co-name 67 thoroughfares and public places throughout the City. The Council approved an omnibus bill which included co-naming streets across all five boroughs. According to the Council, some of the prominent street co-namings are:

- ▶ *Jack Johnson Place (At the intersection of Lenox Avenue and 142nd Street)*
Honoring: Jack Johnson, the American boxer, the second African-American boxing champion and the first African-American world heavyweight boxing champion. Present name: None
- ▶ *Joe 'The Great' Rollino Corner (At the southwest corner of Bay Ridge Parkway and 14th Avenue in Brooklyn)*
Honoring: Joe Rollino who was known for his great physical strength, as well as, being an active volunteer promoting physical health to neighborhood children. He once lifted 475 pounds using his teeth, used one finger to lift 634 pounds and was one of the last of the old Coney Island strongmen. Present name: None
- ▶ *Seven In Heaven Way (At the intersection of Richards Street and Seabring Street in Brooklyn)*
Honoring: This intersection will be named for seven firefighters killed in the 9/11 attacks. Present name: None
- ▶ *Red Hook Heroes Run (At the intersection of Lorraine Street and Hamilton Avenue)*
Honoring: This intersection will be named for five firefighters killed in the 9/11 attacks. Present name: None
- ▶ *Merlin German Way (At the southwest corner of West 189th Street and St. Nicholas Avenue)*
Honoring: Merlin German was born and raised in Washington Heights. Merlin German enlisted in the Marine Corps in September 2003 and served in Iraq as part of a weapons platoon for convoy security. He participated in 150 successful missions. He successfully found 8 improvised explosive devices (IEDs) without anyone being injured. On February 21, 2005, German's squad was on a mission when they were struck by an IED. German was burned over 97% of his body. German survived more than three years before dying on April 1, 2008. He was awarded a Purple Heart by President George W. Bush. Present name: None
- ▶ *Detective Omar Edwards Way (Between Second Avenue and Third Avenue)*
Honoring: Omar Edwards graduated from the Police Academy in July 2007 and was assigned to the 25th Precinct ant-crime team. In 2009, Detective Edwards was fatally shot in a friendly fire

incident while he was in plainclothes chasing a man who had just broken into his car.
Present name: East 123rd Street

- ▶ *Officer John Scarangella Way (Between 166th Street and 168th Street in Queens)*
Honoring: Officer John Scarangella was a member of the New York City Police Department for twelve years and was killed in the line of duty when he and his partner stopped a van that fit the description of a vehicle wanted in connection with several burglaries in the area. The occupants of the van open fire, striking Officer Scarangella twice. He died two weeks later as a result of his injuries. Present name: Eastbound side of Baisley Boulevard

- ▶ *Madam C.J. & A'Lelia Walker Place (Between Adam Clayton Powell Jr. Boulevard and Lenox Avenue)*
Honoring: Madam Walker has been listed on Molefi Kete Asante's list of 100 greatest African Americans, was inducted into the Junior Achievement U.S. Business Hall of Fame, the National Women's Hall of Fame, the National Cosmetology Hall of Fame and the National Direct Sales Hall of Fame. In addition, as part of its Black Heritage Series, the United States Postal Service issued a Madam C.J. Walker commemorative stamp.

Honoring: A'Lelia Walker, daughter of Madam C.J. Walker, who inspired many singers, poets and sculptors of the Harlem Renaissance. She hosted many artists, writers, musicians and actors of the Harlem Renaissance at the Dark Tower, a converted floor of her 136th Street townhouse near Lenox Avenue. Present name: 136th Street

To be considered for a street co-naming, proposed honorees must be individuals who are deceased and of significant importance to New York City. Honored organizations must meet similar requirements. The full list of the proposed street co-names can be accessed at <http://j.mp/ekPltV>. According to the Council, the legislation took effect immediately upon passage.

In Brief

New York Receives Redirected High-Speed Rail Money

New York State will see an additional \$7.3 million in federal high speed rail funding, as the U.S. Transportation Department reallocated funding originally earmarked for Wisconsin and Ohio. Shortly after the election, Governor-elect Andrew Cuomo wrote to U.S. Transportation Commissioner Ray LaHood requesting additional funding. In January, New York received \$151 million for high-speed rail initiatives, part of \$8 billion that was designated nationally.

What Did Get Done This Week

Although the much publicized NYC OTB restructuring bill died this week in the Senate, the State's upper house did address some outstanding issues and gave second house passage to a number of initiatives. Specifically, the Senate approved and Governor David Paterson is currently considering:

- ▶ A42007 Rules -- Renames the Brooklyn battery tunnel the Hugh L. Carey tunnel.
- ▶ A42008A Rules -- Amends provisions of the education, labor and family assistance budget for 2010 relating to the elementary, middle, secondary and continuing education program to enact cost cuts.
- ▶ A42012 Rules -- Updates the State Energy Conservation Construction Code to address the requirements of the American Recovery and Reinvestment Act of 2009.
- ▶ A42014 Rules -- Amends the powers and duties of the dormitory authority of the state of New York relative to the establishment of subsidiaries.

NYRA Moves to Fill OTB Void

The New York Racing Association, Inc. (NYRA) will offer new customers the opportunity to sign up instantly for its free NYRA Rewards account wagering service beginning Wednesday, December 15, and will launch full-card simulcasting of Aqueduct's live program daily in the Belmont Café at Belmont Park beginning on Sunday, December 12. Both initiatives required the approval of the State Racing and Wagering Board this week.

"We'd like to thank Chairman John Sabini and the New York State Racing and Wagering Board for their decisive action allowing NYRA to offer instant sign-ups and double cash rewards for new NYRA Rewards members," said NYRA President and CEO Charles Hayward.

Mayor Signs Legislation Merging Department of Juvenile Justice into the Administration for Children's Services

Mayor Michael Bloomberg signed legislation this week paving the way for the merger of the City's Department of Juvenile Justice and the Administration of Children's Services. Sponsored by Council Member Sara Gonzalez et al, Introductory Number 195-A makes an "an important step toward improving the lives of young New Yorkers that I outlined in my State of the City Address in January," according to the Mayor.

"By bringing the Department of Juvenile Justice under the umbrella of ACS, the City is taking bold action to bolster public safety; make smarter, more limited use of detention; expand and enrich alternatives to incarceration; and improve long-term outcomes for all youth under the City's care," the Mayor explained in signing the legislation.

Coming Up

New York State

Monday, December 13th

Administration of Tourism, the Arts and the Office of Parks, Recreation and Historic Preservation

Assembly Committees on Tourism, Parks, Arts and Sports & Oversight, Analysis and Investigation
Roosevelt Hearing Room C, Legislative Office Building, 2nd Floor, Albany, 11 a.m.

Putting a Face on Budget Cuts

Senate Standing Committee on Finance
Pace University, 1 Pace Plaza, Level B, New York, 10 a.m. to 3 p.m.

Tuesday, December 14th

From Access to Success: Closing the College Achievement Gap

Assembly Committee on Higher Education
Hamilton Hearing Room B, Legislative Office Building, 2nd Floor, Albany, 10:30 a.m.

Wednesday, December 15th

The Merger of Regional Off-Track Betting Corporations

Assembly Committee on Racing & Wagering
Roosevelt Hearing Room C, Legislative Office Building, Albany, 11 a.m.

New York City

Monday, December 13th

Committee on Contracts, 250 Broadway - Committee Rm, 16th Fl., 10 a.m.
Oversight Public Hearings on Contract Awards.

Committee on Transportation & the Committee on Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services, 250 Broadway - Committee Rm, 14th Fl., 10 a.m.
Oversight - Accessible Taxis & Other For-Hire-Vehicles.

Int 0433-2010 Requiring that any new taxicab design, approved by the taxi and limousine commission, be accessible to wheelchair users.

Committee on Finance & the Committee on Fire and Criminal Justice Services & the Committee on Higher Education, 250 Broadway - Committee Rm, 16th Fl., 1 p.m.
Oversight - An examination of the November Financial Plan.

- 1:00 – 2:30 - CUNY- Higher Education
- 2:30 – 4:00 - FDNY - Fire and Criminal Justice Services
- 4:00 – Public

Committee on Veterans, Manhattan Campus of the VA NY Harbor Healthcare System 423 E 23 Street New York, 2 p.m.

Tour: Manhattan Campus of the VA NY Harbor Healthcare System

Tuesday, December 14th

Subcommittee on Zoning and Franchises, 250 Broadway - Committee Rm, 14th Fl., 9:30 a.m.

Subcommittee on Landmarks, Public Siting and Maritime Uses, 250 Broadway, 14th Fl., 11 a.m.

Committee on Public Housing, NYCHA's Customer Contact Center 23-02 49th Avenue Long Island City 1 p.m. *Tour: NYCHA's Customer Contact Center*

Wednesday, December 15th

Committee on Higher Education & the Committee on Immigration, 250 Broadway - Hearing Rm, 16th Fl., 10 a.m.

Oversight Barriers Commonly Faced by Immigrants to Higher Education and Licensure.

Committee on Fire and Criminal Justice Services & the Committee on Juvenile Justice, 250 Broadway - Committee Rm, 16th Fl., 10 a.m.

Oversight Jail Violence at Adult and Adolescent Facilities on Rikers Island.

Committee on Civil Service and Labor, Department of Citywide Administrative Services - Brooklyn Application and Computerized Testing Center 210 Joralemon St., 4th floor Brooklyn, 1 p.m.

Tour: Department of Citywide Administrative Services – Brooklyn and Computerized Testing Center.

Committee on Housing and Buildings, 250 Broadway - Committee Rm, 16th Fl., 1 p.m.

Int 0436-2010 In relation to the alternative enforcement program.

Thursday, December 16th

Committee on Land Use, 250 Broadway - Committee Rm, 16th Fl., 10 a.m.

Committee on Consumer Affairs, 250 Broadway - Committee Rm, 14th Fl., 10:30 a.m.

Oversight – Prepaid Debit Cards, Predatory Fees and Financial Literacy.

Committee on Environmental Protection, 250 Broadway - Hearing Rm, 16th Fl., 1 p.m.

Oversight – Could the Proposed Casino Project in Sullivan County Spur Development in the Catskills that Could Adversely Affect the New York City's Drinking Water Supply Watershed?

Committee on Women's Issues & the Committee on Cultural Affairs, Libraries and International Intergroup Relations, 250 Broadway - Committee Rm, 16th Fl., 1 p.m.

Oversight Equal Opportunities for Women in the Arts.

Committee on Education & the Committee on Public Safety and the Committee on Juvenile Justice, 250 Broadway - Committee Rm, 14th Fl., 1:30 p.m.

Int 442-2010 In relation to reports on school discipline and police department activity relating to schools.

Friday, December 17th

Committee on Health, 250 Broadway - Committee Rm, 14th Fl., 10 a.m

Int 0328-2010 In relation to increasing the fee for licensing a dog that is not spayed or neutered.

Int 0425-2010 In relation to prohibiting pet owners from restraining animals outdoors for longer than three hours in any continuous twelve hour period.

Committee on Sanitation and Solid Waste Management, 250 Broadway, 16th Fl., 1 p.m.

Oversight – Recycling of Grease and Oil from New York City Restaurants.

Committee on Waterfronts & the Committee on Lower Manhattan Redevelopment, 250 Broadway - Committee Rm, 14th Fl., 1 p.m.

Oversight Update on Governors Island.

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