



THIS WEEK IN NEW YORK

COVERING NEW YORK & CITY GOVERNMENT

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"Obstacles don't define us. Rather, it is the unparalleled courage and character of us that defines us as a people. So my confidence in the future is steeped in our glorious past - in the face of adversity, we always persist. We persevere, we prevail." Governor Kathy Hochul

In the News-New York State



Comptroller DiNapoli Report Highlights MTA's Significant Needs

Estimates Next Capital Plan Will Cost at Least \$43 Billion

A [report released](#) this week by New York State Comptroller Thomas DiNapoli examines the Metropolitan Transportation Authority's (MTA) latest 20-Year Needs Assessment, reviews the depth of work needed to upgrade New York's regional transit systems, and highlights the urgent need for the MTA to state its priorities and funding plans.

Comptroller DiNapoli's office estimates repair needs from 2025 through 2029, the period covering the MTA's next capital program to be released later this year, will cost at least \$43 billion, not including expansion and new priorities to address accessibility, resiliency, and sustainability. This estimate was based on the MTA's 2013 cost data, adjusted for inflation.

"The list of repairs and upgrades needed in our regional transit systems can seem endless, but funds are limited. As the MTA prepares its next capital plan and sets priorities for work, it should remain focused on riders' experience by improving safety, reliability and frequency of service," Comptroller DiNapoli said. "Above all, it needs to be transparent. Riders and policymakers need to know what these capital projects mean for them, the progress that will be made in repairing the system, how much they're going to cost and how the MTA is going to pay for them."

In releasing this review, the Comptroller noted that the 20-Year Needs Assessment released in October, although outlining the MTA's capital needs, does not include a cost estimate of the priorities. The previous report, released in 2013, included cost data.

NYC Transit

Signal System: Although delays caused by New York City Transit's outdated signal system have declined, signals still caused 25% of major incidents that delayed trains in 2022 and 2023. The large majority (69%) of signals still use the century-old, fixed block system, while 7% have been updated and 24% are either under construction or to be awarded contracts for modernization this year.

Fleet: The fleet's average age was 26 years in 2022, up from 20 years in 2013. Replacing the oldest cars, which are over 40 years old and break down at nearly three times the average rate, could improve service reliability, Comptroller DiNapoli's report notes. Contractor problems and pandemic-related delays have pushed their replacement to 2025. Overall, MTA needs to buy over 3,900 subway cars in the next 20 years, which Comptroller DiNapoli's office estimates could cost nearly \$15 billion.

Tracks: Delays caused by track problems increased to 24,440 in 2023, after two years of declines. In 2022, track problems caused 19% of major incidents that delayed 50 or more trains.

Capital Construction: The MTA also needs to invest in subway yards and repair shops where significant repairs are needed to building structures. The 2013 Needs Assessment estimated \$1.6 billion (inflation adjusted) was needed for this work. As of Dec. 2023, only \$315 million in shop and yard projects were completed with another \$187 million committed.

Long Island Railroad (LIRR)

Capital Construction: The MTA has spent \$822 million since 2013 at Penn Station, with most of that on the new widened concourse. Meanwhile, all of LIRR platforms at Penn Station are in poor or marginal condition and have only received minimal capital funds in recent years, according to the Comptroller.

Fleet: LIRR's replacement of its oldest cars with M9 cars has run into delays and performance issues that may be associated with the fleet average age increasing from 12 years old in 2013 to 18 years old in 2022. The introduction of new cars has improved LIRR's average breakdown rate from every 151,950 miles in Oct. 2019 to every 193,968 miles in Oct. 2023. The MTA's plan to continue replacing its oldest cars and expand the LIRR fleet should support service increases made possible by the opening of service into Grand Central Madison.

Metro-North Railroad

Capital Construction: The Comptroller reported that the latest Needs Assessment shows that Grand Central Terminal's 110-year-old train shed beneath Park Avenue needs repairs to 100% of its structural supports, roof slab, HVAC and drainage system. It is one of MTA's most pressing priorities for Metro-North, with the MTA estimating repair costs at \$2.7 billion. Platforms at Grand Central also need attention, with 77% in poor or marginal condition. Additional work is needed to repair the Park Avenue viaduct leading into Grand Central.

Fleet: Metro North also has an aging fleet with an average age of 19 years in 2023 up from 15 years in 2013. Over the next 20 years Metro North will need to replace more than half its fleet to keep its electric cars within their 40-year useful lifespan.

Track: Although 39% of track is rated in poor or marginal condition, delays caused by track problems have declined by 79% from 1,700 in 2019 to 360 in 2023.

In September 2024, the MTA will release its next five-year Capital Program. Comptroller DiNapoli's report calls on the MTA to explain to stakeholders in advance of its release what projects it plans to prioritize. Additionally, given the varying condition of its assets, the MTA has a responsibility to explain its short-term priorities, how that informs project selection, and the target state for asset conditions upon project completion.



Governor Hochul Announces New Administration Appointments

Ivan Acosta has been appointed **Deputy Chief of Staff**. Ivan most recently worked in the New York City Mayor's Office of Management and Budget as Associate Director for the past six years. Prior to that role, he held key positions working on budget, legislation and constituent services in the New York City Mayor's Office, the New York City Council, and with the New York State Legislature. He is a graduate of CUNY's John Jay College.

Robert Calarco has been appointed **Assistant Secretary for Long Island Intergovernmental Affairs**. Robert was most recently Assistant Regional Director for the New York State Department of Environmental Conservation, Region 1. Prior to that role, he served five terms as a Suffolk County Legislator, where he was Presiding Officer in his final term. Robert earned his master's degree in public policy from Stony Brook University and his bachelor's degree from Dowling College.

Shanna Cassidy has been appointed **Assistant Secretary to the Governor**. Shanna most recently served as Legislative Director for Senator Joseph Addabbo and Committee Director for the Senate Racing Gaming and Wagering Committee. Earlier, she worked on the staff of the Senate Aging Committee. Shanna has more than a decade of service in the State Legislature and Executive Branch.

Colleen Deacon has been appointed **Deputy Secretary for Upstate Intergovernmental Affairs**. Colleen most recently served as the Senior Director of Upstate Intergovernmental Affairs in the Executive Chamber, where she has worked since 2017. Prior to that role, she worked as the Regional Director for United States Senator Kirsten Gillibrand and as the Press Secretary for City of Syracuse Mayor Matthew Driscoll. Colleen earned her degree in English and textual studies from Syracuse University.

Daniel Dornbaum has been appointed **Assistant Secretary to the Governor**. Daniel was most recently Director of Operations for the New York State Democratic Committee. Prior to that role, he served in the Executive Chamber as the Manhattan Regional Representative. Daniel earned his bachelor's degree in public affairs from Baruch College.

Stevens Martinez has been appointed **Deputy Director for Long Island Intergovernmental Affairs**. Stevens most recently served as Nassau County Regional Representative in the Executive Chamber. Prior to that role, he worked in Government Affairs at NBCUniversal and in External Affairs for the Nassau County Comptroller. Stevens earned his bachelor's degree in public policy and public service from Hofstra University.

Jacqueline Paredes has been appointed **Assistant Secretary for Legislative Affairs**. Jacqueline most recently served as a senior legislative representative for the New York State United Teachers (NYSUT), where she has worked for more than 16 years. Prior to that role, she worked at the New York State Democratic Committee and was a political consultant. Jackie earned her bachelor's degree from SUNY at Albany.

Shirley Paul has been appointed **Assistant Counsel for Judiciary**. Shirley most recently served in the Executive Chamber as Senior Advisor and Director of Constituency Affairs. Prior to that role, Shirley has worked as an attorney handling civil and criminal matters, a law clerk and as Assistant Corporation Counsel for the New York City Law Department. Shirley is a graduate of Delaware State University where she got her first taste of politics working for then-Senator Joseph R. Biden, earned a master’s degree from Brooklyn College and a J.D. from New York Law School.

Edgar Santana has been appointed as the **Executive Deputy Secretary to the Governor**. Edgar most recently served as Deputy Secretary to the Governor and has also served the Executive Chamber as Director of Downstate Regional Affairs. Prior to that role, he served as Director of Political and Governmental Affairs for the Laborers Eastern Region Organizing Fund. Edgar received a bachelor’s degree in business administration and an M.B.A. from Fordham University. He also received a Master of Science Management degree in public administration from Wilmington University, Wilson Graduate Center. Edgar is currently a part of the 2024 Class of Presidential Leadership Scholars.

Jessica Scaperotti has been appointed as the **Assistant Secretary for Cabinet Affairs**. Jessica was most recently working in real estate development where she helped lead the communications and marketing efforts for Fairstead, Jamestown, Brown Harris Stevens, and Related Companies. Before working in the private sector, Jessica spent more than a decade in public service, managing the press offices for New York City’s health and education departments, and New York State’s Division of Criminal Justice Services. She earned her Bachelor of Science from Northeastern University.

Angel Vasquez has been appointed **Deputy Secretary for Downstate Intergovernmental Affairs**. Angel most recently served as the Assistant Secretary for Intergovernmental Affairs in the Executive Chamber. Prior to that role, Angel was the Deputy Political Director and Senior Policy Advisor at the United Federation of Teachers. He has also served as the Chief of Staff to New York State Senator Marisol Alcantara, and as a Policy Analyst for the New York State Senate Majority Conference. Angel earned his bachelor’s degree from Cornell University’s School of Industrial and Labor Relations and a Master of Public Administration from Columbia University’s School of International and Public Affairs.



2024-2025 New York Legislative Fiscal Committees’ Executive Budget Hearings



<u>Date</u>	<u>Day</u>	<u>Time</u>	<u>Hearing</u>
February 6	Tuesday	9:30 a.m.	Local/General Government
February 7	Wednesday	9:30 a.m.	Environmental Conservation
February 8	Thursday	9:30 a.m.	Higher Education
February 13	Tuesday	9:30 a.m.	Mental Hygiene
February 14	Wednesday	9:30 a.m.	Taxes
		12:00 p.m.	Housing

In the News-New York City



Mayor Adams Unveils New Anti-Trash Technology, Launches Next Phase Of City's War On Trash

New York City Mayor Eric Adams and New York City Department of Sanitation (DSNY) Commissioner Jessica Tisch this week made two major announcements that will help get all of New York City's trash off the streets and into secure, rodent-resistant containers.

The two announcements -- a new, automated, side-loading garbage truck and a new data-driven containerization strategy -- affirm a commitment in [Mayor Adams' 2024 State of the City address](#). Mayor Adams also announced that Manhattan Community Board 9 will be the first district with 100 percent of its trash containerized and serviced next year.

“The data is clear: Under our administration, New York City's streets are cleaner. And as of this fall, thanks to the bold steps we have taken, a full 70 percent of New York City's black bags will be off our streets and put into containers — but we're not stopping there,” said Mayor Adams. “The new garbage truck we're unveiling today — four years ahead of schedule — represents the future of New York City garbage collection.”

Automated Side-Loading Truck



The Adams administration unveiled an all-new, automated, side-loading garbage truck — removing a major barrier to containerizing trash from high-density residential buildings. DSNY's 2023 “[Future of Trash](#)” report found that this type of truck is needed to service the stationary on-street containers that high-density buildings will use to containerize their trash.

According to the Mayor, less than one year ago, industry experts estimated that development of this prototype truck would take up to five years. The rapid development of this prototype — which took place in Torino, Italy and in both Hicksville and Brooklyn, New York — will be followed by substantial testing and training.

A New Data-Driven Model

Mayor Adams also outlined a new strategy for determining the type and size of containers that will be used for buildings of different sizes. Under this model, buildings with 31 or more residential units will be required to use stationary, on-street containers for their trash, serviced by the new automated side-loading garbage truck described. Those on-street containers will be assigned to a specific building, solely for

residents of that building. Buildings with 10 to 30 units will be able to choose between stationery on-street containers and smaller wheelie bins.

Buildings with one to nine residential units will be required to put their trash in individual wheelie bins starting this fall, with the official NYC Bins available for use at that time and required by all residential units with one to nine units approximately two years later, in the summer of 2026. This model was based on a volumetric analysis of how much trash buildings of different sizes produce, on average.

Manhattan Community Board 9 is currently home to a successful containerization pilot on 10 residential blocks and at 14 schools and will be the first totally containerized area in the City. This full-district pilot will require procuring new containers and new trucks, installation will begin across the entirety of Manhattan Community Board 9 in the spring of 2025.

DSNY will release an RFP to procure the containers next month and will conduct the necessary environmental review this year. A timeline and process for expansion beyond Manhattan Community Board 9 will be determined based upon the pilot district.

Briefs

Governor Hochul Nominates Steven G. James to Serve as Superintendent of the New York State Police

Governor Kathy Hochul this week announced her nomination of Steven G. James to serve as the Superintendent of the New York State Police. He will lead the New York State Police in an acting role as he awaits confirmation by the Senate.

Acting Superintendent James has served with the New York State Police for more than 32 years. Most recently, he served as Deputy Superintendent for Employee Relations and has also served as Assistant Deputy Superintendent, Staff Inspector, Major, Captain, Lieutenant, Senior Investigator, Sergeant, Investigator and Trooper. He holds a B.S. in Psychology from SUNY Albany and a Master's in Public Administration from Marist College.

Attorney General James Secures \$350 Million from Publicis for its Role in the Opioid Crisis

Purdue's Former Advertising Company Developed Deceptive Marketing Campaigns to Increase Opioid Prescriptions, Fueling the Opioid Epidemic

New York Attorney General Letitia James co-lead a coalition of every attorney general in the nation in securing \$350 million from Publicis Health, LLC (Publicis) for the company's role in the opioid crisis in New York and throughout the United States.

According to the Attorney General, from 2010 through 2019, Publicis worked with Purdue Pharma to develop marketing campaigns and materials promoting opioids including OxyContin, Butrans, and Hysingla. Publicis was responsible for creating advertisements and materials, such as pamphlets and brochures, that promoted OxyContin as safe and unable to be abused, even though this claim was not true.

This is the first settlement with an advertising agency for its role in the opioid crisis. New York will receive \$19,176,750.60 as a result of the agreement, which will be used to fund opioid abatement, treatment, and prevention.

State Comptroller DiNapoli: Audit Recommends Labor Department Step Up Investigations of Violations in NYC

Audit Finds Over Half of Child Labor Cases Completed Late

Weaknesses in how the state Department of Labor (DOL) investigates labor law violations in New York City have led to significant delays in holding violators accountable and attaining restitution for workers while allowing infractions to continue, according to an [audit released](#) by State Comptroller Thomas DiNapoli.

According to the Comptroller, delays in completing investigations were particularly acute for child labor cases. During the period of January 2019 to June 2022, of the 87 child labor cases auditors reviewed, DOL did not meet the 3-month target completion timeline for 56 (64%), including 36 cases that took more than a year to complete or are still in active investigation. Moreover, DOL does not have a process in place to identify which child labor cases involve hazardous employment, which require a more stringent time frame for investigation completion.

Investigations of wage related violations were not completed in the targeted one-year time frame for 80% of the 1,155 cases auditors checked. For 225 cases, the investigation took from over 12 months to 40 months to complete. For 697 cases, the investigations were still active after more than one year.

Comptroller DiNapoli's recommendations to DOL included:

- Develop guidelines to identify child labor cases involving instances of hazardous employment;
- Improve oversight and monitoring, including updating policies, ensuring cases are quickly reassigned when an investigator leaves, and working with the city's Department of Education on child labor-related issues.

According to the Comptroller, DOL generally agreed with the audit's findings. The Department's response is included in the [report](#).

Governor Hochul Signs Legislation to Protect Survivors, Hold Perpetrators Accountable for Rape

Modernizes State Law to Ensure Forced Sexual Conduct Can Be Prosecuted as Rape

Governor Kathy Hochul this week signed legislation to modernize New York State law to protect survivors of rape and hold perpetrators accountable for sexual assault. Chapter 777 of the Laws of 2023 updates the definition of rape in the penal code to ensure that additional forms of nonconsensual, forced sexual conduct can be prosecuted as rape.

The “Rape is Rape” bill removes the penetration requirement from the rape statutes and also defines rape as vaginal sexual contact, oral sexual contact, and anal sexual contact. The existing statute excluded oral and anal rape from being called rape and required a higher standard for vaginal rape.

Faith Leaders Launch Citywide Clergy Collective To Prevent Gun Violence

New York City Mayor Eric Adams and a coalition of multifaith leaders from across the City this week launched the Citywide Clergy Collective, a group of 272 faith leaders committed to preventing gun violence in New York City.

Using a \$1.5 million grant from the New York State Department of Criminal Justice, Citywide Clergy Collective members will deliver resources, direct services, and community-building programs in all five boroughs. The programs and services will be run by local faith leaders across the city, with assistance from the New York City Department of Youth and Community Development (DYCD), Office of Neighborhood Safety, Office of Faith-Based and Community Partnerships, and New York City Police Department (NYPD).

The funds will support three types of programs:

- *Street-Level Engagement*: Increasing and expanding community engagement through clergy walks, street dinners, arts, sports, mentorship, and hotspots programs.
- *Victim Support Services*: Increasing private support of families and survivors of gun violence through prayer vigils, bereavement services, transportation, emergency accommodations, food, and spiritual care.
- *Precinct Engagement*: Connecting with local precincts to support young people with criminal backgrounds, bolstering anti-violence groups, and working with community stakeholders.

NYC Council Overrides Mayor's Public Protection Vetoes

The New York City Council this week voted to override Mayor Eric Adams' vetoes of Int. 549A (in relation to banning solitary confinement in city jails and establishing standards for the use of restrictive housing and emergency lock-ins) and Int. 586A (in relation to requiring the police department to report on police-civilian investigative encounters). Both bills were overridden by a vote of 42 to 9.

"...I have always believed that public safety and justice go hand in hand, and I have fought for both throughout my entire career. I share the City Council's goal of increasing transparency in government, and our administration has remained at the table to negotiate in good faith throughout this entire process to achieve that mission. But the answer is not to compromise public safety or justice for the victims of violence," Mayor Eric Adams said. "With these bills set to become law, I remain willing to partner with my colleagues in the City Council to address New Yorkers' concerns in the period leading up to implementation."

Port Authority Records Busiest Year Ever at its Three Major Airports

Welcomes 144 Million Passengers in 2023

The Port Authority of New York and New Jersey this week announced that 2023 marked the busiest year ever at the agency's three major airports. The totals surpassed pre-pandemic highs.

In 2023, a total of 144 million air passengers flew through John F. Kennedy International (JFK), LaGuardia (LGA), and Newark Liberty International (EWR) airports, according to initial estimates. The total was 3 percent above the previous record of 140 million passengers set in 2019. Newark, LaGuardia, and JFK all set new domestic travel records in 2023, serving 35.3 million, 30.6 million, and 29.1 million domestic passengers, respectively.

Coming Up

New York State

Monday, February 5th

NYS Assembly, State Capitol, 2 p.m.

NYS Senate, State Capitol, 3 p.m.

Tuesday, February 6th

NYS Assembly, State Capitol, TBD

NYS Senate, State Capitol, TBD

Wednesday, February 7th

NYS Assembly, State Capitol, TBD

NYS Senate, State Capitol, TBD

New York City

Tuesday, February 6th

Subcommittee on Zoning and Franchises, 250 Broadway - Committee Room -16th Floor, 1 p.m.

Committee on Land Use, 250 Broadway - Committee Room, 16th Floor, 1:30 p.m.

Thursday, February 8th

Committee on Finance, Committee Room – City Hal, 10 a.m.

City Council Stated Meeting, Council Chambers - City Hall, 1:30 p.m.

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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

1220 19th Street NW, St. 600
Washington, D.C. 20036
Telephone (202) 964-4753
Facsimile (202) 964-5754