

1 BEFORE THE NEW YORK STATE SENATE FINANCE
AND ASSEMBLY WAYS AND MEANS COMMITTEES

2 -----

JOINT LEGISLATIVE HEARING

3 In the Matter of the

2022-2023 EXECUTIVE BUDGET

4 ON LOCAL GOVERNMENT OFFICIALS/

GENERAL GOVERNMENT

5 -----

6 Virtual Hearing

Conducted via Zoom

7

February 9, 2022

8 9:34 a.m.

9

PRESIDING:

10

Senator Liz Krueger

11 Chair, Senate Finance Committee

12 Assemblywoman Helene E. Weinstein

Chair, Assembly Ways & Means Committee

13

PRESENT:

14

Senator Thomas F. O'Mara

15 Senate Finance Committee (RM)

16 Assemblyman Edward P. Ra
Assembly Ways & Means Committee (RM)

17 Assemblyman Edward C. Braunstein

18 Chair, Assembly Committee on Cities

19 Senator Luis R. Sepúlveda
Chair, Senate Committee on Cities 1

20 Assemblyman Fred W. Thiele, Jr.

21 Chair, Assembly Committee on
Local Governments

22 Senator James Gaughran

23 Chair, Senate Committee on Local Government

24

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4 PRESENT: (Continued)

5 Senator Jeremy A. Cooney

Chair, Senate Committee on Cities 2

6

Senator John C. Liu

7

Assemblyman Colin Schmitt

8

Senator Pete Harckham

9

Assemblywoman Sarah Clark

10

Assemblyman Charles D. Fall

11

Senator Andrew Gounardes

12

Assemblyman Jonathan G. Jacobson

13

Assemblyman Robert C. Carroll

14

Assemblyman William Conrad

15

Senator Diane J. Savino

16

Senator Shelley Mayer

17

Assemblyman Steven Otis

18

Senator George Borrello

19

Assemblywoman Latrice Walker

20

Senator Rachel May

21

Assemblywoman Rebecca A. Seawright

22

Senator John E. Brooks

23

Assemblywoman Taylor Darling

24

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4 PRESENT: (Continued)

5 Assemblyman Erik M. Dilan

6 Assemblywoman Gina L. Sillitti

7 Assemblyman Kenneth Zebrowski

8 Assemblywoman Nily Rozic

9 Senator Brad Hoylman

10 Assemblywoman Anna R. Kelles

11 Assemblyman Jonathan Rivera

12 Senator Zellnor Myrie

13 Assemblyman Michael Reilly

14 Senator Edward A. Rath III

- 15 Assemblyman Mark Walczyk
- 16 Assemblyman Michael Tannousis
- 17 Senator James Tedisco
- 18 Assemblyman Michael Cusick
- 19 Assemblywoman Jennifer Lunsford
- 20 Assemblyman Jeffrion L. Aubry
- 21 Senator Roxanne J. Persaud
- 22 Assemblywoman Jessica González-Rojas
- 23 Assemblyman Zohran K. Mamdani
- 24 Assemblyman Demond Meeks

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4 PRESENT: (Continued)

5 Senator Michelle Hinchey

6 Assemblyman David I. Weprin

7 Senator Gustavo Rivera

8 Assemblyman John T. McDonald III

9 Senator Kevin Thomas

10 Assemblyman Christopher S. Friend

11 Senator Robert Jackson

12 Assemblyman Al Taylor

13 Senator Cordell Cleare

14 Assemblywoman Alicia Hyndman

- 15 Senator Leroy Comrie
- 16 Assemblyman J. Gary Pretlow
- 17 Senator Sue Serino
- 18 Assemblyman Kenny Burgos
- 19 Senator Jamaal T. Bailey
- 20 Assemblywoman Chantel Jackson
- 21 Senator Julia Salazar
- 22
- 23
- 24

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Honorable Eric Adams

6 Mayor

City of New York 11 20

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Honorable Byron W. Brown

8 Mayor

City of Buffalo 212 220

9

Honorable Malik Evans

10 Mayor

City of Rochester 259 268

11

Honorable Mike Spano

12 Mayor

City of Yonkers 307 317

13

Honorable Ben Walsh

14 Mayor

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15	Honorable Kathy M. Sheehan		
16	Mayor		
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17	Honorable Brad Lander		
18	Comptroller		
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19	Office	384	394
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22	Honorable Adrienne Adams		
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STATEMENT QUESTIONS

5

Stephen J. Acquario

6 Executive Director

NYS Association of Counties 532 542

7

Gerry Geist

8 Executive Director

Association of Towns of the

9 State of New York 574 582

10 Danielle Brecker

Co-Lead Organizer

11 Empire State Indivisible

-and-

12 Laura Bierman

Executive Director

13 League of Women Voters

-and-

14 Dustin Czarny

Democratic Caucus Chair

15 New York State Election

Commissioners Association

16 -and-

Joanna Zdanys

17 Senior Counsel, Elections and

Government Program

18 Brennan Center for Justice

at NYU School of Law 601 614

19

Adam Zaranko

20 President

New York Land Bank Association

21 -and-

Camille Mackler

22 Executive Director

Immigrant ARC 621 629

23

24

1 CHAIRWOMAN WEINSTEIN: Good morning.

2 I am Helene Weinstein, chair of the New York

3 State Assembly's Ways and Means Committee and

4 co-chair of today's hearing.

5 We begin the 9th in a series of

6 hearings conducted by the joint fiscal

7 committees of the Legislature regarding the

8 Governor's proposed budget for fiscal year

9 2022-'23. The hearings are conducted

10 pursuant to the New York State Constitution

11 and the Legislative Law.

12 And today our joint committees will

13 hear testimony concerning the Governor's

14 budget proposal for local governments.

15 Let me introduce the members of my
16 conference who are here, and then my co-chair
17 of today's hearing, Senator Liz Krueger,
18 chair of the Finance Committee, will
19 introduce the members of her conference.

20 So we have with us today the chair of
21 our Cities Committee, Assemblyman Braunstein;
22 the chair of our Local Governments Committee,
23 Assemblyman Thiele; Assemblyman Carroll;
24 Assemblyman Conrad; Assemblywoman Darling;

1 Assemblyman Fall; Assemblywoman Lunsford;

2 Assemblyman Mamdani; Assemblyman Otis;

3 Assemblywoman Walker.

4 And I know that there will be other

5 members joining us as the -- I see

6 Assemblyman Jacobson, Assemblywoman Rozic,

7 Assemblyman Rivera. And other members will

8 join us -- Assemblyman Zebrowski -- will join

9 us as the day goes on.

10 Senator Krueger, why don't you

11 introduce your members, and then we'll come

12 back to Assemblyman Ra.

13 CHAIRWOMAN KRUEGER: Great. Thank you

14 very much, Helene.

15 Welcome, everyone. So I'm seeing so
16 far our chair of Local Governments, Senator
17 Jim Gaughran; our chair of Cities for
18 New York City, Luis Sepúlveda; our chair of
19 Other Cities, Jeremy Cooney. Senator Diane
20 Savino, Senator Zellnor Myrie, Senator
21 Roxanne Persaud, Senator Michelle Hinchey,
22 Senator John Liu, Senator John Brooks,
23 Senator Gustavo Rivera, Senator Andrew
24 Gounardes, Senator Kevin Thomas. And did I

1 jump over Senator Pete Harckham? I'm afraid

2 I did, apologies. Senator Pete Harckham.

3 And now I'm going to turn it over to

4 my ranker in Finance and partner in this

5 exercise, Tom O'Mara, to introduce his

6 members.

7 SENATOR O'MARA: Thank you, Senator.

8 Good morning, everybody.

9 We have been joined by Senator Jim

10 Tedisco, Senator George Borrello, and

11 Senator Ed Rath.

12 Thank you.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 Assemblyman Ra, ranker on Ways and

15 Means, can you please introduce your
16 conference members who are here with us?

17 ASSEMBLYMAN RA: Thank you, Chair.

18 Good morning.

19 We are joined by Assemblyman Reilly,
20 the ranker on the Cities Committee;
21 Assemblyman Schmitt, the ranker on
22 Local Governments; and Assemblyman Walczyk.

23 CHAIRWOMAN WEINSTEIN: And we've also
24 been joined by Assemblywoman Sillitti.

1 So just a quick reminder for those
2 witnesses coming up and legislators who are
3 listening, the time limits -- governmental
4 witnesses have 10 minutes to present their
5 testimony. The testimony of all witnesses
6 has already been distributed, so please
7 summarize if possible.

8 Nongovernmental witnesses later in the
9 day will get three minutes each to make their
10 presentation.

11 The chairs of the relevant committees
12 of the hearing will get 10 minutes and a
13 second round of three minutes, if desired, to
14 ask questions. Ranking members of the

15 committees get five minutes. And all other

16 members get three minutes.

17 And as I've mentioned, the time limit

18 is for both the questions and the answers.

19 And keep an eye on the clock; it should be in

20 the upper left-hand corner.

21 With that being said, I'd like to

22 welcome our first witness today, the

23 Honorable Eric Adams, the mayor of New York

24 City and a former colleague of many of ours.

1 Mr. Mayor, the floor is yours.

2 Welcome.

3 MAYOR ADAMS: Thank you so much. It
4 is good to see many of you who I have served
5 with. I feel like this is a Virginia Slims
6 moment -- you know, we've come a long way.
7 You know? And I was on the other side of
8 that -- this discussion, and now to be here
9 as the mayor of the City of New York and once
10 again partner with you, it means a lot to me.
11 And I'm really proud to have served with you
12 and now to serve as the mayor.
13 I want to thank you, Chair Krueger,
14 Chair Weinstein, ranking minority members

15 O'Mara and Ra, and all members attending

16 today's hearing. I would like to also thank

17 Speaker Carl Heastie and Majority Leader

18 Andrea Stewart-Cousins.

19 I'm Eric Adams, as you stated, and I

20 am honored to appear before you today as the

21 110th mayor of the great City of New York.

22 I'm joined here by my budget director,

23 Jacques Jiha and Tiffany Raspberry, senior

24 advisor for external affairs.

1 At this moment, our city is focused on
2 three significant goals: reducing crime,
3 overcoming the challenges caused by the
4 pandemic, and rebuilding our economy. Today
5 I will outline three key steps we can
6 collectively take to overcome these issues
7 and improve our city.

8 First, an urgent request for more
9 funding for mental health services,
10 particularly for New Yorkers that are a
11 danger to themselves and others.

12 Second, changes to the Earned Income
13 Tax Credit, to put more cash in the pocket of
14 working New Yorkers. And third, new

15 childcare initiatives that will address
16 childcare deserts and allow parents to get
17 back to work.

18 These initiatives will have cascading
19 effects throughout the city, advancing the
20 priorities we all care about. Before we can
21 talk about any specific plans, we need to
22 begin with the topic of public safety.

23 Safety and justice are the keys to
24 prosperity. We cannot function as a city

1 unless New Yorkers are safe and feel safe --

2 on our streets, our transit system, our

3 workplaces, and our homes.

4 A few weeks ago, I laid out my

5 administration's Blueprint to End Gun

6 Violence, a multi-disciplinary approach to

7 reducing crime and addressing its underlying

8 causes. As I said then, the sea of gun

9 violence in our city does not have one single

10 point of origin. It flows from many rivers,

11 each contributing to the problem. Reducing

12 crime will require both intervention and

13 prevention.

14 That is why it is urgent that we

15 request the state's immediate assistance in

16 expanding the number of beds for those in

17 critical need of mental health care, and

18 funding for the medical and support staff

19 they require. Too many of our fellow

20 New Yorkers are cycled through temporary care

21 and released before they are ready, often due

22 to the limited availability of long-term

23 support and housing. We now face a

24 humanitarian crisis in our streets and on our

1 transit system that threatens our city's
2 safety and recovery, and we cannot afford to
3 let this issue go unaddressed any longer.

4 And as I have previously mentioned, we
5 also ask for the state to make targeted
6 amendments to New York's bail laws to allow
7 judges to consider a defendant's
8 dangerousness, especially for individuals
9 accused of perpetrating gun violence.

10 We also support removing overly
11 burdensome disclosures. The extensive
12 requirements of the new discovery bill have
13 led to too many delays and dismissals. We
14 urge the state to distinguish what is truly

15 necessary for discovery, especially in cases

16 where a complainant directly brought law

17 enforcement to the scene.

18 My administration supports changes to

19 Raise the Age legislation. It is long

20 overdue. Too many New Yorkers in their late

21 teens and early twenties have abused this

22 change, demanding young people under 18 take

23 the fall for guns that are not truly theirs.

24 The law is being used to victimize our youth.

1 And finally, I also support the
2 Clean Slate Act, which is essential to our
3 holistic approach to public safety. We
4 cannot allow a criminal conviction to define
5 a person's life. It did not define my life.
6 I have a criminal conviction, and I'm now the
7 mayor of this city. We need to do it for
8 others. The more opportunity we provide to
9 those who have had contact with the criminal
10 justice system, the safer we will all be.
11 The second major step of my plan is to
12 increase the Earned Income Tax Credit. It
13 has been nearly 20 years since the City and
14 State of New York increased the Earned Income

15 Tax Credit benefit that has helped so many
16 low- to moderate-income families. This is
17 why I'm asking the state to authorize the
18 city to boost the amount the city gives back
19 to recipients of the Earned Income Tax
20 Credit, up to 30 percent of the federal
21 benefit depending on income.

22 In addition, I'm calling on the state
23 to match our efforts by increasing the amount
24 it gives back to recipients with an

1 additional state investment of up to
2 \$250 million. The state has been generous to
3 New Yorkers, but it hasn't adjusted the
4 percentage it gives back in nearly two
5 decades. It's time to change that. The cost
6 of living is up, and a dollar doesn't go as
7 far as it used to. We all know that.

8 Expanding the EITC will allow New York
9 to get money to hardworking New Yorkers and
10 build a strong foundation to address ongoing
11 economic inequality. With your support for
12 this proposal, we will ensure that
13 much-needed relief will reach those most in
14 need.

15 And finally, we get to childcare, so
16 important for all of us. Many of the
17 hardships faced by working-class and
18 low-income parents have become more
19 pronounced during the pandemic. Those who
20 cannot find affordable childcare are trapped
21 in a never-ending negative economic cycle.
22 They need help. We recognize and appreciate
23 that the Executive Budget expands childcare
24 eligibility. The Governor's proposal would

1 increase childcare eligibility from
2 200 percent of the state income standard to
3 300 percent in 2024. These increases would
4 make childcare subsidies more accessible for
5 vulnerable families that need help, and we
6 support this proposal.

7 The budget also includes \$75 million
8 in federal funding to provide wage
9 enhancements for childcare workers, which is
10 also welcome. We look forward to working
11 with the Governor and you to go further in
12 providing pathways for families to access
13 affordable childcare. This is so important
14 for us.

15 Also, the state should fund the cost
16 of the increased foster care subsidy rate on
17 localities. If this is not addressed, the
18 city faces a \$117 million shortfall,
19 depriving other city-funded social services
20 of desperately needed resources.

21 Two additional proposals could help
22 create more childcare space by utilizing tax
23 incentives. The first proposal would
24 authorize the city to offer property owners a

1 tax abatement for retrofitting space to
2 establish childcare centers. The second
3 proposal would authorize New York City to
4 provide a tax credit to companies that
5 provide free or subsidized childcare for
6 their employees in their place of business.

7 We must do everything we can to lift
8 up working families across the board, and
9 those working adults. These proposals, along
10 with other initiatives to be included in the
11 enacted budget, will help make sure our
12 children are cared for and our parents are
13 supported.

14 While we continue to advance our

15 COVID-19 recovery, we must also address our
16 economic recovery. Now more than ever,
17 New York City's economy, and especially our
18 small businesses, need our help. To make
19 this happen, we are going to slash red tape
20 and make it easier to do business in the
21 City. I've already started this work with my
22 Small Business Forward Executive Order, which
23 directs city agencies to reevaluate the
24 penalties issued to small businesses. This

1 will be a hallmark of my administration.

2 When I campaigned for mayor, I didn't

3 just promise the people new programs and

4 ideas. I promised an efficient government

5 that prioritizes responsible spending of

6 public dollars. We must get our money's

7 worth. I have already begun to make good on

8 this promise by implementing a Program to

9 Eliminate the Gap, or PEG, which will require

10 city agencies to find savings in their

11 budgets by 3 percent. I've also appointed

12 the city's first Chief Efficiency Officer,

13 who will hold city agencies even more

14 accountable to our taxpayers. These actions

15 will build one of the most cost-effective and
16 fiscally responsible governments this city
17 has ever seen.

18 As you have heard, we have a lot of
19 work to do for this city, and our sleeves are
20 rolled up to get stuff done. Of course, we
21 need your partnership, which brings me to the
22 Governor's Executive Budget.

23 I want to thank the Governor for
24 including many of our essential priorities in

1 this budget. I especially want to thank
2 Governor Hochul for including a four-year
3 extension of mayoral accountability for
4 New York City public schools. This extension
5 will help my administration improve education
6 and prioritize equity. Instead of leaving
7 our students to fail, especially our Black
8 and brown students, we will help them
9 overcome adversity and find their way.

10 I struggled with undiagnosed dyslexia
11 as a child, and we can't allow that to happen
12 to others. These roadblocks must continue to
13 be removed from our students, and we can make
14 it happen.

15 And so I see my time has run out. We
16 have other things I hope come up during your
17 question-and-answer period. But again, I
18 thank you for allowing me to come before you,
19 my former colleagues and, most importantly,
20 my friends.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 Thank you, Mr. Mayor.

23 We now will go to members for
24 questions. And we go first to the chair of

1 the Assembly Cities Committee, Assemblyman Ed
2 Braunstein.

3 ASSEMBLYMAN BRAUNSTEIN: Thank you,
4 Chair Weinstein. I'm unmuted now?

5 CHAIRWOMAN WEINSTEIN: Yes, we can
6 hear you.

7 ASSEMBLYMAN BRAUNSTEIN: Yes.

8 And thank you, Mr. Mayor, for joining
9 us, and also Mr. Jiha and Ms. Raspberry for
10 joining us today.

11 I just have a few questions about your
12 testimony. The first question I have,
13 Mr. Mayor, is your administration is
14 requesting that the state increase the

15 bonding authority to the New York City
16 Transitional Finance Authority. How much of
17 an increase are you asking for? And what are
18 your plans to spend that money on?

19 MAYOR ADAMS: Thank you so much. As I
20 stated, I'm joined with the head of my Office
21 of Budget, and I'm going to let him respond
22 to that.

23 NYC BUDGET DIRECTOR JIHA: Yeah, what
24 we're asking for again is to increase the top

1 borrowing capacity by \$19 billion, because
2 currently we're looking at debt-incurring
3 power, looking at debt-incurring power to
4 drop to about 4.5 billion by 2026, which is
5 concerning to us.

6 So as managers, we -- because the city
7 plans to do long-term planning, so
8 therefore -- and we have also a number of
9 projects that span over a number of years.

10 So as a result, we cannot wait until 2026 to
11 secure this additional capacity. So that's
12 what we're asking the state to provide us, to
13 provide us an additional \$19 billion of
14 capacity for the TFA.

15 ASSEMBLYMAN BRAUNSTEIN: So this is

16 just to help for existing projects, it's not

17 for new projects?

18 NYC BUDGET DIRECTOR JIHA: It's to

19 help for existing projects. You know, this

20 is only increasing capacity, it's not

21 increasing borrowing. It doesn't mean that

22 we're going to borrow that much money.

23 It's the debt -- this is the capacity

24 that we had. And because of the drop in

1 property values in New York City -- and, you
2 know, the borrowing capacity of New York City
3 is tied to what the commercial value -- to
4 property, the value of properties in New York
5 City. So because the property values in
6 New York City have dropped, so our debt
7 capacity has dropped. So we're asking the
8 state to basically restore the debt capacity
9 we had before the pandemic.

10 And this is at no cost to the state.

11 ASSEMBLYMAN BRAUNSTEIN: You don't
12 anticipate those property values to rebound?

13 NYC BUDGET DIRECTOR JIHA: Well, we
14 expect them to rebound, but it's going to

15 take some time. Because currently we have a
16 commercial -- the vacancy rate in New York
17 City is about 20 percent, which is big. So
18 you're talking -- you know, if you're looking
19 at it a different way, it's basically the
20 entire downtown Manhattan is basically
21 vacant. That's what, you know, 20 percent
22 vacancy means.

23 So it's going to take some time. And
24 also we don't know whether or not this is a

1 structural shift in the economy because of
2 people working from home, hybrid economy,
3 whether or not, you know, companies would
4 basically begin to shrink their footprint in
5 New York City. So again, it's not clear yet,
6 so -- and we cannot wait to -- for
7 properties -- to say, you know, that we're
8 expecting property values to come back so
9 therefore we don't need the additional
10 capacity.

11 So as managers, we're doing many
12 things at the same time. We're hoping that
13 the commercial real estate values in New York
14 come back. But at the same time, because we

15 have to plan a capital program, we cannot
16 wait, hoping that they will come back. So
17 that's the reason why we're asking the state
18 to give us the authority so we can plan
19 long-term.

20 ASSEMBLYMAN BRAUNSTEIN: Okay.

21 Another question --

22 MAYOR ADAMS: And Assemblyman -- and

23 Assemblyman, it falls in line to what your

24 advocacy and fight for -- what you have done

1 to allow us to be on an equal footing with
2 design-build. We want to make sure we
3 expeditiously get these projects done, and
4 being able to borrow at the right capacity is
5 going to assist in that.

6 So this is in alignment with what you
7 have allowed us to do and the work of the
8 Assembly has allowed us to do here in the
9 city.

10 ASSEMBLYMAN BRAUNSTEIN: Okay, thank
11 you.

12 In 2021 we allowed the city to
13 establish a Rainy Day Fund. It seems that in
14 2021 fiscal year the city invested 500

15 million into the Rainy Day Fund, and it's
16 projected again in 2022 that the city will
17 put another 500 million into the Rainy Day
18 Fund.

19 Do you plan to continue this trend of
20 adding funding to the Rainy Day Fund? And if
21 not, or if you plan on taking money out, what
22 would be the criteria for which you would
23 remove money from the Rainy Day Fund?

24 MAYOR ADAMS: Our goal -- I'm going to

1 my budget director to tackle that, but let me
2 tell you this. Our goal is to continue to
3 put money in the Rainy Day Fund. As we saw,
4 COVID was not a rainy day, it was a typhoon.
5 And not being prepared for the future of --
6 in the outyears we're looking at a
7 multi-billion-dollar budget deficit.
8 So we're doing the smart things now.
9 That is why we put in the 3 percent PEG,
10 because we're being prepared for the outyears
11 and the challenges that we are going to face.
12 So it's our goal to ensure that we get
13 an efficient government, look at the waste
14 and the cost savings to make sure we can be

15 prepared for the future. We want to continue

16 to put in place money in the Rainy Day Fund.

17 Jacques.

18 NYC BUDGET DIRECTOR JIHA: I think you

19 answered the question directly, Mr. Mayor.

20 That's the goal. Currently we have a billion

21 dollars in the Rainy Day Fund, and our goal

22 is not to take down the Rainy Day Fund for

23 any reason unless there is an extreme

24 emergency.

1 But our ultimate goal is to keep

2 adding to the Rainy Day Fund.

3 ASSEMBLYMAN BRAUNSTEIN: Great. At

4 the end of December the mayor's Property Tax

5 Reform Commission, the previous mayor's

6 Property Tax Reform Commission finally came

7 out with their full recommendations. Do you

8 plan to implement any of those

9 recommendations or -- what are your plans for

10 comprehensive property tax reform?

11 I mean, we all know that homeowners --

12 particularly in the outer boroughs -- pay

13 higher effective property tax rates than

14 generally wealthier homeowners in Manhattan

15 and parts of Brooklyn. Do you plan on

16 pursuing property tax reform?

17 MAYOR ADAMS: It is crucial. And, you

18 know, I say all the time I am not the choir,

19 I wrote the song. When former Finance Chair

20 Martha Stark approached those of us who were

21 impacted by an unfair property tax system, I

22 was one of them that wanted to be part of the

23 initial lawsuit, but I was not allowed to be

24 a part of it. And I wanted to do an amicus

1 court brief because it was an unfair system.

2 And so our administration is going to

3 be focused on creating a fair system that is

4 not overburdensome and unfair to those in the

5 outer boroughs. It is unacceptable that we

6 allowed this to go on this long.

7 ASSEMBLYMAN BRAUNSTEIN: Thank you.

8 And my final question is I just want to get a

9 sense of -- the federal government, our

10 partners in Washington, particularly our

11 congressional delegation, was successful in

12 allocating federal aid to state and local

13 governments. And I'd like to know how much

14 federal aid the city has received, how much

15 has been spent, how much is planning to be

16 spent, and what that aid is being spent on.

17 MAYOR ADAMS: I'm going to let my

18 budget director -- Jacques?

19 NYC BUDGET DIRECTOR JIHA: Yeah. We

20 received about \$5.8 billion from the federal

21 government, and the money was fully

22 appropriated in the last adopted budget.

23 And basically money was spent on

24 everything dealing with test and trace,

1 reopening the economy. So we have -- I could
2 give you a list of the entire, you know,
3 scope of works that we -- projects that we
4 invested in.

5 But mainly the focus was on getting
6 the economy back. So the stimulus money was
7 basically front-loaded, the spending, so that
8 we could get the economy back up and running.

9 And as the economy begins to recover, we will
10 substitute city tax dollars for federal
11 dollars. That was our objective because by
12 law we have to spend the money down by 2025.

13 ASSEMBLYMAN BRAUNSTEIN: So it's
14 already been spent or it's already been

15 allocated? You don't anticipate receiving

16 more --

17 NYC BUDGET DIRECTOR JIHA: It's

18 already been allocated.

19 ASSEMBLYMAN BRAUNSTEIN: And it's been

20 spent on recurring expenses or kind of what

21 we call one-shot spending?

22 NYC BUDGET DIRECTOR JIHA: It's a

23 combination. It's a combination of recurring

24 and one-shots, yeah.

1 ASSEMBLYMAN BRAUNSTEIN: Okay. okay,
2 thank you very much. Thank you, Mr. Mayor.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 We go to the Senate now.

5 CHAIRWOMAN KRUEGER: Thank you very
6 much.

7 And our first questioner will be chair
8 of the Cities Committee for New York City,
9 Senator Luis Sepúlveda.

10 SENATOR SEPÚLVEDA: Thank you,
11 Madam Chair.

12 Thank you, Mayor, for appearing today
13 with us. And I want to say that as the new
14 chair of this committee, I'm going to work

15 every single day to bring much-needed
16 resources to the City of New York, especially
17 the area that I represent, which is one of
18 the poorest areas in the entire State of
19 New York. And I hope that we can continue
20 the partnership.

21 I do want to say that the response
22 time from yourself and the administration has
23 been excellent so far, and that's a clear
24 sign of your desire, and your agency heads,

1 to work with us. So I want to congratulate
2 you so far on the rapid response that you've
3 given to me and your administration has given
4 to people in my office with issues that we've
5 had.

6 Now, one question -- two -- a couple
7 of questions I have for you. The first one
8 is you know that our hospitals are in dire
9 need of resources. We need a distressed
10 hospitals fund more than ever. Can you
11 explain why you oppose directing revenue to
12 the fund? And it is illegal for the state to
13 intercept the city's sales taxes?

14 MAYOR ADAMS: And that's so important.

15 And first of all, thank you for your kind
16 words. You can expect that. That is how we
17 are going to run this administration.
18 Cities are made up of agencies, and if our
19 agencies are not responding to the needs of
20 our local electeds, then we're never going to
21 deal with inequalities and the
22 ineffectiveness of how we run a city of this
23 magnitude.
24 With the hospital distress fund, we

1 pay into that fund, Senator, yet we have not
2 received one dollar to the distressed
3 hospitals here in our city. It is unfair.
4 New York City pays into the fund, the dollars
5 go outside the city. We know that here in
6 New York City, places like the Bronx and
7 Queens, they were the epicenters of
8 COVID-19 -- and our hospitals, we need the
9 resources here. And I think right now it's
10 unfair and I believe that we should require
11 that those dollars come into the areas where
12 you are pulling those tax dollars from. And
13 we're not receiving any dollars from that
14 hospital distress fund, and it's just unfair.

15 SENATOR SEPÚLVEDA: Okay, thank you.

16 Now, Mayor Adams, I know that

17 generational wealth, especially in Black and

18 brown communities, is something that you've

19 talked about for some time now. But we

20 have -- you know, you've opposed the existing

21 tax lien sales system, and you indicated it

22 does threaten generational wealth. So what

23 is the city's alternative plan for these tax

24 liens and what if any revenue impacts will

1 result from the change in the tax sale

2 system?

3 MAYOR ADAMS: A great question. And

4 we're looking to evaluate that system. I

5 have brought together my team to talk about

6 the unfairness of that system currently.

7 We've had cases that I advocated for while I

8 was the borough president where people lost

9 their properties due to water bills or other

10 taxes. And I think the system is currently

11 unfair.

12 We're looking to see how do we give

13 people as much support as possible to hold on

14 to their properties. And under those extreme

15 circumstances, we're looking to put in place
16 a nonprofit where the nonprofit would hold on
17 to the property in some way, allow it to go
18 into our affordable housing crisis that we
19 are facing.

20 But I was not pleased as the borough
21 president with the system, and I want to make
22 sure the system is a fair system. And the
23 goal is to allow taxpayers and homeowners to
24 keep their properties, not to take their

1 properties away.

2 SENATOR SEPÚLVEDA: Thank you for

3 that, Mr. Mayor.

4 You know, as a local government

5 alumni, Governor Hochul is making attempts to

6 repair decades of damage to the New York

7 State revenue-sharing program in her proposed

8 budget. Do you think that New York City

9 should be treated like every other city in

10 New York State and included in the revenue

11 sharing?

12 MAYOR ADAMS: Well, that's something I

13 want to look at and look into and I could

14 better answer that for you. That's a

15 conversation I've been having with my OMB

16 director. We want to see the real benefits

17 of that, and then we can take it from there.

18 SENATOR SEPÚLVEDA: That's important

19 for me to continue that discussion with you

20 at some point.

21 Another question I have for you is the

22 issue of mayoral accountability. Their

23 proposal is to give you four years. If

24 that's the case, Mayor Adams, what are your

1 priorities to enhance education in New York
2 City? I am in the area with one of the
3 highest dropout rates in the entire state,
4 one of the highest unemployment rates, and I
5 think education goes hand-in-hand to repair
6 that problem.

7 So what programs do you have or what
8 plan do you have to enhance the level of
9 education that kids, especially in my
10 community, get?

11 MAYOR ADAMS: You know, when I think
12 about it, Senator, I remember the early
13 battles we had for the Campaign for Fiscal
14 Equity, the fights. We finally were able to

15 get the money here to the cities.

16 When you look at our budget, over

17 \$30 billion we spend on education in New York

18 City. And the reality is 65 percent of Black

19 and brown children never reach proficiency in

20 this city. Across the country, 30 percent of

21 those who are incarcerated are dyslexic.

22 According to one study, 55 percent of those

23 in Rikers Island have learning disabilities.

24 When you look at the fact that if we

1 don't educate, we will incarcerate -- and I
2 need the time to turn around a school system
3 that has failed New Yorkers in general, but
4 specifically Black and brown communities. We
5 know what's happening in the Bronx and what's
6 happening in other parts of our city, and I
7 want to zero in on that. What does it look
8 like?

9 Number one, education is not K through
10 12. Education is from the time the mother
11 carries that baby, giving her the support,
12 the right nutrition, the right support that
13 she needs, all the way through careers. And
14 we want to turn that around. We want to make

15 sure that we give our children the

16 inside-the-classroom support, look at CTE

17 programs, bringing in our industries to

18 ensure that children are ready to fill some

19 of the jobs as we see our city continue to

20 evolve. Dealing with some of the mental

21 health issues that our young people are

22 experiencing. And then identifying the

23 barriers that's preventing to encourage young

24 people to learn, putting the resources in our

1 school buildings and making sure that those
2 resources are there.

3 And some simple things -- washing
4 machines. I can't tell you how much how many
5 children state that they can't make classes
6 because they don't have clean clothing. Or
7 food pantries inside our schools -- there's
8 so much that we can do differently to bring a
9 qualitative environment. And I need four years
10 to turn around the school system in the way
11 we should expect our schools to produce our
12 children for the future.

13 Our system is unfair. We produce an
14 unfair product every year that our children

15 graduate. We must return the joy of learning

16 in our schools, everything from around

17 healthy food -- and it's good to speak to a

18 further -- further plant-forward Senator.

19 We're going to look at healthy food, a

20 healthy environment, and make it a safe place

21 for our children.

22 And I need four years, and I really

23 need your help to give me an opportunity to

24 finally turn around a school system that has

1 failed children.

2 SENATOR SEPÚLVEDA: I couldn't agree

3 with you more, Mr. Mayor.

4 Now let's talk a little bit about

5 housing in the City of New York. You know,

6 the administration has a five-year housing

7 plan, and we think the proposed plan would

8 have a significant impact. But does the City

9 of New York have a comparable housing plan?

10 MAYOR ADAMS: Yes, we do. I brought

11 on an amazing housing team. We're going to

12 be rolling out the entire housing plan that's

13 going to include NYCHA and what we want to do

14 inside NYCHA. We are putting together a

15 plan, a \$25 billion comprehensive housing

16 plan that's going to impact affordable

17 housing throughout this entire city.

18 We just announced the appointees

19 that's part of that team, and we're looking

20 forward in the next few weeks to roll out the

21 comprehensive plan that we're putting

22 together.

23 And we believe that we have failed to

24 look into areas throughout the city, such as

1 rezoning some of these areas that
2 historically have been ignored when it comes
3 down to affordable housing crises. The
4 affordable housing crisis, it's crucial that
5 all of us carry the weight of what we want to
6 accomplish inside our housing needs
7 throughout the city.

8 And so the -- and just to be correct
9 in my \$25 billion that I stated, the
10 \$25 billion state plan. We want to build on
11 the state plan and make sure that we utilize
12 the dollars that are coming on the state
13 level. That plan, we want to complement here
14 in the city.

15 And I have my new housing team that
16 was put together. They're going to build on
17 that plan to make sure that we're prepared
18 here in the city to deal with the housing
19 needs and cycle out of the homeless system
20 that we have in the homeless shelters,
21 particularly congregate shelters. Because
22 children who are in homeless shelters are
23 less likely to graduate from high school.
24 And as I've always stated, if you don't

1 educate, you will incarcerate.

2 And we're going to build out a solid

3 housing plan and roll that out in the next

4 couple of weeks.

5 SENATOR SEPÚLVEDA: Well, that's all

6 from me, Mr. Mayor. Thank you so much. And

7 again, I want to reiterate, as chair of

8 Cities, you have a partner that will work

9 diligently for the lives of the residents of

10 the City of New York.

11 Thank you so much.

12 MAYOR ADAMS: Thank you.

13 CHAIRWOMAN KRUEGER: Thank you.

14 Back to the Assembly.

15 CHAIRWOMAN WEINSTEIN: While the mayor

16 was speaking, we were joined by Assemblyman

17 Weprin, Assemblywoman Kelles, Assemblywoman

18 Seawright, Assemblyman Cusick.

19 And we go to the ranker on Cities,

20 Assemblyman Mike Reilly, for five minutes.

21 CHAIRWOMAN KRUEGER: Although before

22 Mike starts, let me just read off the

23 Senators also.

24 CHAIRWOMAN WEINSTEIN: Sure.

1 CHAIRWOMAN KRUEGER: Sorry.

2 We've been joined by Senator Robert

3 Jackson, Senator Cordell Cleare, Senator Sue

4 Serino, Senator Shelley Mayer. I think I've

5 gotten all the Senators, thank you.

6 CHAIRWOMAN WEINSTEIN: And I see

7 Senator Comrie --

8 MAYOR ADAMS: Senator Leroy Comrie.

9 CHAIRWOMAN KRUEGER: Excuse me,

10 Senator Leroy Comrie. How could I forget

11 you. Excuse me, Leroy. Thank you.

12 MAYOR ADAMS: That's my old

13 neighborhood, Senator Krueger: South

14 Jamaica, Queens.

15 SENATOR COMRIE: There you go. Good

16 morning, Mr. Mayor. Good morning, everyone.

17 CHAIRWOMAN WEINSTEIN: Good morning.

18 We go now to Assemblyman Reilly, five

19 minutes.

20 (Zoom interruptions; pause.)

21 ASSEMBLYMAN REILLY: Madam Chair, are

22 we ready?

23 CHAIRWOMAN WEINSTEIN: Yes. Yes.

24 Please proceed.

1 ASSEMBLYMAN REILLY: Thank you. Thank
2 you, Madam Chair.

3 Thank you, Mr. Mayor, for your
4 testimony and for appearing here today. I
5 appreciate your candor and your opening
6 remarks.

7 I wanted to talk to you on something
8 that you spoke about with regards to the
9 Raise the Age law. One of the things I've
10 been talking about and I actually introduced
11 legislation about was the 16- and
12 17-year-olds being able to remain in
13 Youth Part Criminal instead of automatically
14 going to Family Court. And one of the things

15 there is firearms. And it's -- they're only
16 allowed to go to Youth -- to be prosecuted in
17 Youth Part Criminal if they display a
18 firearm, currently.

19 One of the things that I think should
20 be added to that is the mere possession of a
21 loaded firearm, which would allow district
22 attorneys to petition to keep it in
23 Youth Part Criminal Court. Do you think
24 that's a minor fix that we can use regarding

1 the gun violence in New York City, especially
2 under the state of emergency that the
3 Governor announced?

4 MAYOR ADAMS: Thank you for that
5 question. First, I am a strong supporter of
6 Raise the Age. I am a strong supporter of
7 Raise the Age.

8 We need to tweak that aspect of Raise
9 the Age. And oftentimes people misinterpret
10 how important that tweak is. If you are
11 stating that a child that is considered for
12 Raise the Age carries a gun but does not
13 display that gun, then they're treated in
14 Family Court. That is a problem. Similar to

15 what many of us are aware of that happened
16 during the '70s and even early '80s, drug
17 dealers would have the younger children carry
18 the drugs because they knew they would be
19 handled in Family Court. They are doing that
20 now with guns.

21 And I'd like to be very clear. I
22 don't know if you can see this, but last year
23 10 percent of individuals under 18 were
24 arrested by NYPD with a gun. Six years ago,

1 that was only 1 percent. One percent. That
2 is what's happening. And since 2019, of the
3 2500 16-year-olds receiving consideration,
4 half were rearrested, and 10 percent for a
5 firearm.

6 I mean, sometimes when we hear these
7 numbers, they're sort of a vague sound bite.

8 No. These children are being exploited by
9 adults to carry guns. And when you allow
10 them to go to Family Court and they're
11 adjudicated in Family Court, then you are
12 going to constantly have these young people
13 being exploited.

14 We had a young person who was arrested

15 with a gun. Then while placed on probation
16 in December, in January he was caught with
17 another gun, shot himself and a police
18 officer. If he did not shoot the police
19 officer, he would have been treated in
20 Family Court because that gun was not
21 exposed.

22 That is a part of the bill that we
23 need to tweak.

24 ASSEMBLYMAN REILLY: Thank you,

1 Mr. Mayor.

2 So switching gears a little, I want to

3 talk about mayoral control of the schools. I

4 know that we're discussing extending it for

5 four years. I'm more in line with three

6 years, because I think that should be -- and

7 it's regardless of who is mayor. I support

8 mayoral control, I just think there's always

9 room to reevaluate and tweak, and we've seen

10 that over the years, especially during my

11 time as a member of the Community Education

12 Council for District 31 in Staten Island.

13 But one of the things that I've been

14 trying to advocate to change in mayoral

15 control is increased parent engagement. And
16 that involves maybe the PEP members having
17 more parents assigned. And additionally, I
18 would like to remove the ability for the
19 appointing authority to automatically remove
20 a PEP member. I think that if we allow only
21 to remove a PEP member for cause, that will
22 make sure that when they're voting on the
23 proposals by the mayor and the chancellor,
24 regardless of who that is, the merits of that

1 plan will stand a vote. Not necessarily

2 because there's maybe some arm-twisting

3 because of the person who appointed you.

4 Could you touch on that?

5 MAYOR ADAMS: Yeah, I am fully

6 supportive of parent engagement. That was my

7 number-one complaint about mayoral control,

8 is the lack of engagement with parents and

9 having them have input.

10 That is why I was really proud of

11 bringing on Commissioner -- I'm sorry,

12 Chancellor David Banks. When I attended what

13 David Banks did in the Eagle Academy -- and I

14 used to go to his PTA meetings, and I would

15 see standing room only. He did not build a
16 system that was centered around the -- what
17 the administrators wanted, he built a system
18 that was centered around parents. And I
19 believe that's what we must do with mayoral
20 accountability.

21 But I want to be clear that I need to
22 be held responsible for improving our
23 schools. And it's challenging to do so
24 without having the four-year period that's

1 needed. And you don't have to feel as though
2 you need a piece of legislation to say that
3 Eric is not going to listen to your input and
4 your consultation on what's happening in your
5 particular school districts, because that is
6 not the case.

7 The goal is to hear from parents, to
8 hear from those lawmakers that are receiving
9 input from parents, and build a school system
10 that's responsive to that. And I need four
11 years. I need four years to accomplish this.
12 I saw what happened when I was in Albany, and
13 I saw what happened this year. Every two
14 years you're trying to figure out and plan

15 forward on what to do. We can't go back to
16 the old system, and we need to hold the mayor
17 of the City of New York responsible for
18 educating our children.

19 Parent feedback is important, we're
20 going to seek that. And I was very clear
21 with my chancellor, and we're going to get
22 that feedback from our parents.

23 ASSEMBLYMAN REILLY: Thank you,
24 Mr. Mayor. Thank you, Chair.

1 CHAIRWOMAN WEINSTEIN: Thank you.

2 We've been joined by Assemblyman

3 McDonald and Assemblywoman González-Rojas.

4 And back to the Senate.

5 CHAIRWOMAN KRUEGER: Thank you very

6 much. And we will next up be the chair of

7 the Local Governments Committee, Jim

8 Gaughran.

9 SENATOR GAUGHRAN: Thank you,

10 Madam Chair.

11 And thank you very much, Mr. Mayor. I

12 do have to say, as a Senator from Long

13 Island, I find both the tone and the initial

14 agenda of your administration very

15 refreshing, and I think many of the issues

16 that you've raised -- and especially here

17 today -- are not only regional issues but

18 statewide issues as well.

19 So I guess I want to start with

20 criminal justice and your opening remarks

21 referencing that the problem has many rivers

22 that we have to deal with. So one of those

23 rivers -- and you -- when you referenced the

24 bail reform law, I think it's clear you're

1 talking about targeted amendments. You're
2 not talking about repealing the law, you
3 believe in the underlying changes that were
4 made to make sure that we don't have two
5 different systems of criminal justice based
6 on the particular wealth or lack of wealth of
7 the defendant.

8 Would that be fair to say?

9 MAYOR ADAMS: Yes. That's a question
10 you're asking, correct?

11 SENATOR GAUGHRAN: Yes. You support
12 the underlying criminal justice reforms that
13 we passed but feel that we need to make, as
14 you referred to them, targeted amendments.

15 That we should no longer continue to have,
16 you know, two different systems of justice as
17 it relates to somebody's ability to pay.

18 MAYOR ADAMS: Well said. Not only do
19 I support it, sir, I advocated for it. As a
20 sergeant, I went to Rockefeller Plaza and
21 protested against the Rockefeller Drug Law.

22 Then I went to Albany as a Senator and I
23 cosponsored the bill to repeal the law.

24 This is my lifework. And so I'm

1 pleased with what the Assembly and the Senate
2 did of making this system that was unfair, to
3 make it a fair system. Tweaking it saying we
4 did the justice part, now let's address the
5 public safety part. That's where I think we
6 went wrong, and I think we can tweak it and
7 make it right and get what we're desiring.

8 Because we're doing our job here in
9 the city. We removed 6,000 illegal guns off
10 the street last year, close to 400 this year
11 while I've been in office. We can't continue
12 to allow these rivers of violence to
13 continue. Let's remove the illegal guns and
14 let's remove the small percentage of people

15 who are carrying out the act. That's what
16 we're missing, and that is what we have to
17 zero in on with precision policing.

18 SENATOR GAUGHRAN: So along those
19 lines -- and I think it would be fair to say
20 whether it's the State Legislature or it's
21 our Congress -- anytime you pass major
22 reforms of this magnitude, you constantly
23 have to look back and see where changes
24 perhaps need to be made.

1 So specifically on the issue of bail,
2 what would you think of some revisions that
3 would give judges the discretion to simply
4 remand somebody based on some set of
5 extraordinary circumstances -- concern for
6 the community, perhaps the individual
7 themselves really should be given the
8 opportunity for drug treatment, a diversion
9 program -- if we gave judges a remand
10 provision for certain circumstances, and we'd
11 have to define that, and we ask the judge
12 to -- they'd have to put on the record what
13 those circumstances are very specifically,
14 had it reviewed subsequently in a quick

15 period of time, perhaps by another judge.

16 But just based on the facts and

17 circumstances of a particular situation,

18 giving that judge some narrow discretion.

19 What would you think of something like that?

20 MAYOR ADAMS: And this is in pieces,

21 when we talk about some of the great reforms

22 that the lawmakers did in Albany.

23 So let's just first deal with the bail

24 reform. The general premise of the bail

1 reform is something that I was proud of to
2 see accomplished, because as I stated, it's
3 my lifework. Two areas I think we need to
4 look at. One, discovery. The discovery area
5 is crucial.

6 When I spoke to Eric Gonzalez, the DA
7 in Brooklyn, he took down three major gangs,
8 violent gangs that were participating with
9 14-, 15- and 16-year-olds who had several
10 homicides. He turned over 40,000 pieces of
11 evidence. If he would have missed three or
12 four pieces of evidence, that case would
13 have -- could have been dismissed. All of
14 the investigation, taking violent people off

15 the street -- if he would have missed three

16 or four pieces of paper out of those 40,000

17 documents, that case could have been

18 dismissed. That is just not right.

19 And then when we look at judges can't

20 have the power of discretion -- let's remove

21 the cash bail system, because one should not

22 be able to get out of jail just because you

23 can pay bail. Let's take that away. But

24 judges should look at the case that's in

1 front of them and say, this person has two
2 gun arrests, two shootings, and he's
3 continually saying to the people of the city
4 that I don't care about the safety of you --
5 that judge should have the right to make the
6 discretion that this person should be held.

7 And by doing so, we should evaluate
8 with transparency if there's a pattern of
9 judges who are abusing that discretion.

10 Let's retrain them, let's have the chief
11 judge look at their actions and make sure
12 it's done right, because we can't go
13 backwards.

14 SENATOR GAUGHRAN: Thank you,

15 Mr. Mayor. That was very well said.

16 Just switching to another topic, if I

17 may. You know, we need to do much more in

18 this state to provide affordable housing,

19 both in the city and out on -- in the

20 suburbs. However, there is a proposal in the

21 Governor's budget that would, in effect, I

22 believe, take away the ability of local

23 officials to have any sort of discretionary

24 review or hearing as it relates to requiring

1 accessory dwelling units to be built on

2 single-family lots.

3 And, you know, many of my communities

4 are already doing this. But one of the

5 questions I have -- and, you know, perhaps it

6 can't be answered here, it may need a deeper

7 dive. But one of the concerns I have is that

8 this law in itself may take away the ability

9 of New York City's Uniform Land Use Review

10 procedure to have any powers at all -- take

11 away, you know, the ability of local

12 community boards and members of the City

13 Council to really have any discretion on some

14 of these applications.

15 So I guess I would ask if you could
16 look at that or if you have an answer now.
17 And also perhaps maybe there are ways that we
18 in the state can incentivize the city and our
19 local governments to provide some of this
20 type of housing as well. What are your
21 thoughts on that?

22 MAYOR ADAMS: I'm a big local
23 government guy. You know, there's not a
24 one-size-fits all to our local

1 municipalities. And we are in a housing
2 crisis. I am in full support of how do we
3 continue to expand our housing stock. And I
4 think it's crucial that we give the power to
5 local government to make these
6 determinations, decisions. We saw after the
7 recent hurricane what happened, the flooding
8 that took place, particularly in Queens and
9 Staten Island.

10 I think we could do it in a smarter
11 way, we can build smarter. And we could make
12 sure that we can address both ends: How do
13 we build for the future and our environmental
14 issues, but also how we deal with the housing

15 crisis that we're facing. And local

16 governments can make those decisions in a

17 smart way.

18 SENATOR GAUGHRAN: Thank you very

19 much. And one other question.

20 You know, one of the concerns that we

21 have with this budget that we're grappling

22 with is that our federal government has still

23 failed to give us back our state and local

24 tax deduction, SALT. You know, it's killing

1 my constituents on Long Island with our high
2 property taxes. I know it has an impact in
3 the city and I hear that, you know, you're
4 looking to help property taxpayers there as
5 well.

6 What can we do collectively -- those
7 of us who represent areas outside the city,
8 you as mayor and officials in the city -- to
9 really push Congress to get this done?

10 Because it almost seems like it's no longer
11 top on the agenda down in Washington, D.C.

12 MAYOR ADAMS: And we're talking about
13 SALT, is that what you're talking about,
14 correct?

15 SENATOR GAUGHRAN: Yes, SALT.

16 MAYOR ADAMS: You know, people often

17 talk about what the federal government did

18 for us -- which I want to thank our New York

19 congressional delegation for doing so with

20 the stimulus. But if they really want to

21 stimulate the economy of New York State,

22 bring us back SALT.

23 We need SALT. SALT was a penalty

24 towards New York City and New York State. We

1 need to have SALT. That would give an
2 immediate boost to our economy. And I push
3 back against those who state that it is a tax
4 break for just the affluent and rich. No, it
5 is not. It is for the blue-collar, middle-
6 income homeowners. SALT had a major impact
7 for me and I'm pretty sure not only on
8 Long Island, but if you go to areas
9 throughout the entire New York City region,
10 SALT had a devastating impact on us.
11 We need to have a unified voice with
12 those other states that were impacted, and we
13 need to put SALT back on the agenda. It is
14 something that I think is even more important

15 than the stimulus that came around. The real

16 stimulus for us is to have SALT repealed.

17 SENATOR GAUGHRAN: Yes, I agree.

18 Thank you so much, Mr. Mayor.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 I assume that people have seen that

21 the clock -- we're working with the tech

22 folks to try and figure out why the clock is

23 partially blocked. But hopefully you can

24 continue to see it enough. Certainly you'll

1 see it when it goes down to zero.

2 We now go to Assemblyman Ra, the

3 ranker on Ways and Means, for five minutes.

4 ASSEMBLYMAN RA: Thank you, Chair.

5 Good morning, Mayor. Good to have you

6 with us.

7 Just -- I wanted to get into a little

8 bit more of what Senator Gaughran had started

9 with, just more on the criminal justice side.

10 But I do want to thank you for your

11 leadership already, pushing for more judicial

12 discretion. I think it's important and I

13 hope that, you know, we'll be able to

14 continue those discussions and move in that

15 direction, so I thank you for that.

16 You know, obviously we're dealing with

17 the confluence of a lot of things in the city

18 and this -- crime increases and all of that.

19 So one of the things that obviously has

20 gotten a lot of attention is the new DA in

21 Manhattan. I know that some of -- I hear

22 somebody typing very loudly. I'm sorry.

23 CHAIRWOMAN WEINSTEIN: Everybody mute,

24 make sure you mute yourself. Thank you.

1 ASSEMBLYMAN RA: So I'm just
2 wondering -- I mean, in your conversations
3 especially within the police department, A,
4 do you think that this is causing some level
5 of just -- a lack of accountability in the
6 public to think they're going to get away
7 with certain types of crimes? And how does
8 that impact policing, in your view?

9 MAYOR ADAMS: District Attorney Bragg,
10 he and I had several conversations and, you
11 know, I want to, respectfully, not go into
12 some of the private conversations that we
13 have had over the last few weeks.

14 I believe that we're going to be

15 partners with the other district attorneys.

16 I met with all five of my district attorneys

17 and I believe we're going to be partners in

18 dealing with issues of crime. I'm happy to

19 see some of the items he listed, particularly

20 around gun crimes, and how his office is

21 going to move forward.

22 But, you know, you touched on

23 something that I really need for all of us to

24 embrace. Look at what's happening in

1 San Francisco. The business community is
2 leaving San Francisco. We're seeing the
3 entire highest -- one of the highest-tax
4 areas, due to real estate, is being
5 abandoned. What's happening in Chicago --
6 when I spoke with her in Washington, D.C.,
7 several weeks ago, she talked about the need
8 to deal with the violence.

9 And we can't allow this to happen in
10 New York. And I know people sometimes don't
11 connect some of the offenses that are
12 happening that they can materialize into
13 serious problems, but it can. We can't have
14 a city where out drugstores and bodegas and

15 restaurants are leaving because people are
16 walking into the stores, taking whatever they
17 want on the shelves and walking out, and then
18 giving it to a criminal enterprise that's
19 selling it on the internet.

20 That can't happen. We can't have
21 people on our subway system who are not
22 receiving care. And they are creating an
23 environment where people are afraid to ride
24 the subway system because they think they're

1 going to be shoved to the tracks.

2 If we stop the basic principles that

3 allowed us to be one of the safest big cities

4 in America, it is going to erode our

5 financial base and people are not going to

6 want to work in our city and do business in

7 our city. And it's all connected. Those are

8 the many rivers that I talk about that feed

9 the sea of violence.

10 And we don't have to be heavy-handed,

11 but we have to be clear: There's expected

12 behavior to be in a city like New York, and

13 it's something that we're going to make sure

14 we carry out.

15 And that is what my police
16 commissioner, Police Commissioner Sewell and
17 her team is clear on. Our mental health
18 professionals that are partnering with us to
19 deal with the homeless crisis, particularly
20 those with mental health issues. And we're
21 going to send the right message in my grocery
22 stores, my supermarkets. People are not
23 going to force stores to close and leave the
24 city because they believe they're going to

1 disrespect the right of those low-wage
2 employees to be employed in these stores.
3 And that is the message that we're going to
4 send in this city.

5 ASSEMBLYMAN RA: Thank you, Mayor.

6 And I have to say, as a representative
7 of Nassau County, we are very proud of your
8 new police commissioner, and I commend you on
9 that choice.

10 Just lastly -- I only have a few
11 seconds -- but, you know, you mentioned how
12 this is all related. And I think anything
13 that we can do on the public safety side and
14 certainly continuing the conversation on the

15 financial side to make sure that New York
16 City is thriving -- it benefits obviously not
17 just New York City, but us on Long Island and
18 the entire state.

19 MAYOR ADAMS: Well said.

20 And the images that come from New York
21 are cascaded throughout this entire country.
22 And if people see a total disregard for the
23 basic rights of our fellow New Yorkers, that
24 is the image that's going to cascade

1 throughout this entire country. And we can't
2 go backwards in heavy-handed policing, but we
3 can't go backwards to 2,000 homicides a year,
4 98,000 robberies and the equivalent amount of
5 felonious assaults.

6 We're moving forward as a city, and we
7 can do it together with the proper balance of
8 public safety and justice. That's the
9 prerequisite to prosperity, and I believe
10 that and I'm pretty sure all of us on here
11 believe that.

12 ASSEMBLYMAN RA: Thank you.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 We've been joined by Assemblymembers

15 Dilan, Meeks, Friend and Taylor.

16 And the clock is fixed, and we go back

17 to the Senate.

18 CHAIRWOMAN KRUEGER: Thank you very

19 much.

20 And we are going to hear from

21 Jamaal Bailey, our chair of Codes.

22 SENATOR BAILEY: Thank you,

23 Madam Chair.

24 And Mr. Mayor, good to see you. Thank

1 you for testifying. And let me first just
2 say thank you for your responsiveness to me,
3 to my team. You and your team are incredibly
4 responsive anytime we reach out, and it's
5 grateful, especially in the wake of the Bronx
6 fire and so many other things. So I just
7 want to thank you for your consistent
8 responsiveness.

9 MAYOR ADAMS: Thank you.

10 SENATOR BAILEY: You know, as the
11 chair of the Codes Committee -- and we've had
12 some brief conversations about this, the
13 conversation about the justice reforms, the
14 bail reform, the discovery reform -- I am of

15 the opinion that we need to continue to have

16 these conversations on a fact-based level.

17 When we refer to some of the judges

18 that you've spoken about in the past, about a

19 third of the judges that have not set bail or

20 remand on the remandable offenses, I think

21 that we have to be very surgical in the

22 conversations that we're having as related to

23 the justice reforms that we're having, as

24 opposed to just looking at a headline and

1 saying that we should make wholesale changes.

2 I look forward to a continuous

3 dialogue with you in that respect, because I

4 don't think there is a -- there is one point

5 that we can look at and say, This is the

6 fault of a single justice reform.

7 As opposed to that long ramble, I

8 would ask you, Mr. Mayor, is there one

9 particular area that you -- that you see as

10 the largest problem in the justice reforms?

11 Is that bail, is that discovery, and if so,

12 why?

13 MAYOR ADAMS: Yeah. No, thank you for

14 that. And, you know, let -- and I want to be

15 clear. What you said, Senator Bailey, is

16 just so important.

17 People have hijacked the conversation

18 of -- particularly when it comes down to the

19 Speaker and the Senate leader. These are not

20 former colleagues, these are friends. And

21 you know, when I could come to Albany with a

22 list of a hundred things, and one thing we

23 disagree on -- darn it, that's a home run.

24 It's a home run.

1 Both Andrea and Carl are friends of
2 mine that -- we want the same thing. And
3 when you look at in the Bronx, where
4 30 percent of the shootings are taking place,
5 those beautiful children of yours, you want
6 them to be safe. You don't want them to be
7 the 11-month-old baby that was shot in the
8 head in the Bronx.

9 And we have the same focus. And we
10 don't want to create a criminal justice
11 system that criminalizes Black and brown boys
12 throughout their entire career. And so if we
13 zero in and tweak just the areas that I have
14 fought for all my life -- we have to look at

15 discovery. The DAs are saying, Eric, we're
16 going to have to dismiss some substantial
17 cases. There was a rape case in the Bronx,
18 the person was a potentially serial rapist,
19 that we had to dismiss because of potential
20 discovery issues. And if we don't tweak
21 those areas, we could lose some major
22 investigations of crime.

23 Second, Raise the Age. We have to
24 look at the possession of a gun. That

1 19-year-old girl that was shot in the
2 Burger King, was shot by an adult -- but
3 that's still a gun. The young man who shot
4 the police officer weeks while I was on the
5 job, he was in possession of a gun and he
6 just got arrested for possession of a gun.

7 If we don't look at the fact if you
8 carry a gun, it needs to be treated as the
9 same if you expose it or not. We shouldn't
10 wait for you to take it out and shoot someone
11 because you carry them.

12 Those are the areas that need to be
13 tweaked. And that's not saying take away the
14 great work that you have done, because it was

15 done. It was commendable. I wish I was

16 there to finally see my lifework materialize.

17 But we've got to focus on those areas that

18 need to be tweaked.

19 SENATOR BAILEY: Thank you,

20 Mr. Mayor --

21 CHAIRWOMAN KRUEGER: Mr. Mayor, I hate

22 to be the first one to cut you off today, but

23 the clock is back visually and hit zero.

24 Thank you. Helene?

1 SENATOR BAILEY: Madam -- Madam Chair,

2 if I just may respond really, really

3 briefly --

4 CHAIRWOMAN KRUEGER: No, you can't,

5 I'm sorry, Jamaal.

6 CHAIRWOMAN WEINSTEIN: It's a long

7 day.

8 SENATOR BAILEY: Thank you, Mr. Mayor.

9 MAYOR ADAMS: Thank you, Senator.

10 CHAIRWOMAN WEINSTEIN: We've been

11 joined by Assemblyman Aubry, Assemblyman

12 Sayegh, Assemblywoman Byrne -- excuse me,

13 Assemblyman Byrne, and Assemblywoman Hyndman.

14 And we go to Assemblyman Fall, three

15 minutes.

16 ASSEMBLYMAN FALL: Thank you,

17 Madam Chair.

18 Thank you, Mayor Adams, for joining

19 us. Before I get to my questions, a few

20 weeks ago everyone was aware of the COVID

21 surge we had across the city, especially on

22 Staten Island. I reached out to you and your

23 office, you provided my office with thousands

24 of COVID test kits, and I just want to thank

1 you for your help on that matter.

2 Just switching gears to

3 infrastructure, I just wanted to quickly talk

4 about, you know, what happened during

5 Hurricane Ida. We saw a level of flooding on

6 Staten Island and across the city that was

7 unprecedented. Lost a lot of lives. Many

8 experienced property damage that burned a

9 hole through their pockets, which includes

10 people being displaced from their homes. I

11 personally drive through my district during

12 heavy rains to see catch basins not

13 maintained, which results in the levels of

14 flooding that we saw during Ida.

15 So what can I tell my constituents

16 about your plan to address future flooding,

17 especially when it comes to upgrading DEP

18 infrastructure?

19 MAYOR ADAMS: Thank you, Assemblyman.

20 And, you know, I too traveled out to

21 Staten Island the day after the storm, met

22 with Senator Diane Savino, moved around

23 Staten Island to look at some of the damage

24 to be on the ground.

1 And, you know, many of you have talked
2 about the responsiveness of my administration
3 because, you know, our motto is clear: GSD.
4 Get stuff done. It's just taking too long to
5 get stuff done in government.

6 First, we need to do this in layers.
7 We need to look at what are the short-term
8 things that we could do. Let's just clean
9 the basins. Let's just make sure that the
10 water and the infrastructure we do have in
11 place is doing its basic job. And we have
12 not done that enough. We need to do it
13 periodically. It's something that I
14 partnered, when I was in the borough

15 president's office, of Adopt-A-Basin for
16 people on the block, having DEP go out and do
17 periodic checks. Let's just make sure the
18 system is doing what it's supposed to do.

19 Next, let's use some of the
20 infrastructure dollars that we're receiving
21 from the federal government to do -- not only
22 build out our infrastructure and be ready for
23 the future -- we just brought on our
24 environmental team that is going to be

1 looking at how do we start building out for
2 the future of -- around our environmental
3 issues.

4 And what that looks like is building
5 on our sewer systems for the future. We need
6 to really look at doing a pause on some of
7 these projects that's taking place now,
8 Assemblyman, and say are they prepared for
9 the future or are we building them for the
10 past. We need to start retrofitting these
11 buildouts for the future, and then borough by
12 borough we're going to come up with a clear
13 plan, because Staten Island is unique to
14 Brooklyn and other areas of how we're going

15 to do specifically for what's happening in

16 the various boroughs in the city.

17 ASSEMBLYMAN FALL: Thank you for that.

18 I only have 20 seconds, but I just wanted to

19 quickly highlight -- or just a couple of

20 comments.

21 If you could please make sure that

22 your staff expedite the work that's going on

23 at Stapleton Houses so folks can get their

24 cooking gas back on, that would be great.

1 Really want to have your support on
2 the Staten Island bus rapid transit at the
3 state level. And also want to invite you to
4 Richmond University Center so you could
5 better understand some of the issues that's
6 going on over there.

7 And thank you for your leadership
8 during this time.

9 MAYOR ADAMS: We'll get out there next
10 week, brother. I look forward to do it. And
11 NYCHA is facing a \$40 billion capital
12 shortfall, and bureaucracy is in the way.
13 We're going to be rolling out our NYCHA
14 staff, because we should not find out about

15 the tragedies after they get on the front

16 page of the paper. And I believe an ongoing

17 conversation with you is crucial.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 Thank you both. Back to the Senate.

20 CHAIRWOMAN KRUEGER: To Senator Diane

21 Savino.

22 SENATOR SAVINO: Thank you,

23 Senator Krueger.

24 Good morning, Mayor Adams. Welcome to

1 Tin Cup Day in Albany --

2 MAYOR ADAMS: How you doing today?

3 SENATOR SAVINO: -- although certainly

4 it's not your first experience here.

5 So I only get three minutes; I'm going

6 to talk fast. As you know -- first, I want

7 to thank you and your administration for your

8 amazing attentiveness, not just to myself and

9 my staff but my constituents. It's a

10 refreshing change, certainly, and I know the

11 minute I reach out to you or anybody on your

12 team, you immediately get back to us.

13 I want to, you know, just echo my

14 support for your requested changes to not

15 just Raise the Age, but the change to the
16 criminal justice reforms that you're asking
17 for. You know -- probably better than any
18 mayor who's sat in this chair that's asking
19 us to do things -- how difficult it is to
20 move legislation to change legislation.

21 Your experience as a member of the
22 Senate -- when you walked in the door
23 15 years ago, you were one of the leading
24 members who taught us how to implement the

1 anti-gun-violence programs. The SNUG program
2 was a creation of Eric Adams. You were one
3 of the leading members who led the fight to
4 reform the Rockefeller Drug Laws. So you
5 understand probably better than any mayor of
6 the City of New York how we have to reform
7 legislation with precision.

8 And so I don't think people understand
9 you're not suggesting that we repeal what the
10 Legislature did, but that we look at
11 legislation, as we are required to from time
12 to time, and tweak it.

13 So towards that end, Assemblymember
14 Cusick and I are introducing legislation to

15 reform Raise the Age, to address those gun
16 charges that you eloquently pointed out don't
17 belong in Family Court. We're working with
18 the DAs.

19 I'm also introducing legislation --
20 after having worked with a CEO of the HHC,
21 Mitchell Katz, and Kathy Wylde -- to address
22 the challenges our chronically mentally ill
23 homeless population, who cycle in and out of
24 our emergency rooms, wind up in our subway

1 tunnels in chronic mental health crisis. We
2 need to change the definition under mental
3 health law of what is a person who is
4 incapable of taking care of themselves and a
5 danger to themselves or others.

6 So working in that precision capacity,
7 we're going to try and provide you the
8 tools -- also addressing the shortfall in
9 funding, so that you can have the money you
10 need to have mental health beds in the HHC
11 and the City of New York.

12 I've only got 48 seconds left, so
13 again we stand here as partners with you, I'm
14 very excited. I believe you should have four

15 years of mayoral control, and I support that.

16 And of course as always, we are your friends,

17 your colleagues. I'm very excited to see you

18 as the mayor of the City of New York.

19 MAYOR ADAMS: You know, thank you so

20 much, Senator. And, you know, I joked on the

21 campaign trail that I felt like Anthony Fauci

22 when they stated, you know, where was he

23 during the COVID.

24 And when I hear people who are new to

1 this advocacy, this is my lifework. And, you
2 know, when I was up in Albany with my
3 colleagues, you know, we sat down and my team
4 came to me to ask for that proper balance of
5 justice and public safety. And that's what
6 I'm doing now. We heard and we did an
7 amazing job around the justice aspect of it.

8 But public safety is crucial. And if
9 someone that is a former colleague, that was
10 a trusted former colleague on these law
11 enforcement issues from the days of
12 100 Blacks in Law Enforcement, from the days
13 of advocacy for prison reform, visiting the
14 prisons up in Albany -- if a former colleague

15 is saying, hey, you guys did a great job but
16 there's areas we need to tweak, we should not
17 feel as though that this an attack. This is
18 love, to make sure that we don't allow the
19 small number of people who commit crimes to
20 endanger our communities.

21 So some people would say,
22 Senator Savino, that 95 percent of the people
23 who commit crimes are not impacted or they
24 won't come back and do something again. But

1 what about that 5 percent? That 5 percent,
2 those are the people who are wreaking havoc
3 in our cities. Five percent comes to
4 thousands. You know, there's a small number
5 of people that are committing crimes in the
6 city, and they're slipping through the
7 cracks. And a simple tweak would help us
8 through this problem.

9 CHAIRWOMAN WEINSTEIN: Thank you,
10 Mayor. I imagine there will be some more
11 opportunities to expand on this topic based
12 on the number of witnesses that are here.

13 I wanted to just mention that we've
14 been joined while the hearing began by

15 Assemblywoman Nolan, Assemblyman Otis,

16 Assemblywoman Wallace.

17 And we're going to go to Assemblyman

18 Schmitt for three minutes.

19 ASSEMBLYMAN SCHMITT: Thank you,

20 Chairwoman.

21 Mr. Mayor, I represent the

22 Hudson Valley. A lot of my constituents

23 commute to the city or utilize the city for

24 medical services, et cetera, and the

1 overarching concern that I hear are the

2 concerns about safety.

3 We've heard some of your comments

4 already, and we know there's resistance from

5 some in the Legislature to move forward with

6 badly needed changes on the law and order and

7 safety side. What immediate steps are you

8 taking or can you take to reassure my

9 constituents and the millions of folks who

10 visit New York City -- before the Legislature

11 acts -- that safety is going to improve, that

12 they will feel safe no matter what they need

13 to do, whatever their business is in the City

14 of New York?

15 MAYOR ADAMS: Thank you so much for

16 that.

17 First, as I stated -- and I really

18 need for us to, you know, lean into the

19 analogy that I use of many rivers. Those

20 rivers feed into the sea of violence.

21 We need help on the federal level. We

22 have to stop the flow of guns. You can't

23 remove 6,000 guns from the city and still

24 have an endless flow of guns. It appears as

1 though with every one we remove, five seem to
2 come in.

3 And that's why I brought the president
4 here in the city, so that he could sit down
5 and see what we're doing around the
6 partnership with city, state and federal
7 agencies. We need a 9/11 type response so
8 that we can bring those agencies together
9 with information sharing and stop the flow.

10 But then no matter what the other
11 rivers are doing and how we're able to dam
12 those rivers, I have the responsibility and
13 obligation of keeping the people of this city
14 safe that come here to live or to work, and

15 that's what I'm going to do. We're going to

16 institute my anti-gun unit. Not anti-crime;

17 these are not officers that are going out in

18 plainclothes. This is an anti-gun unit with

19 precision policing to zero in on those who

20 are the known trigger-pullers so we can get

21 them off our streets.

22 We're then having a real

23 partnership -- because I'm pretty sure many

24 of the people that come from your area, they

1 ride the transportation system -- we're going
2 to partner with our mental health
3 professionals and our law enforcement
4 community to no longer have a policy of
5 allowing people to be on our subway system
6 when they can't take care of themselves and
7 they're dangerous to themselves and others.
8 That's unacceptable, should have never
9 happened, and we're going to make sure they
10 get the care that they need and deserve.
11 But we're going to also be upstream
12 thinkers. We're going to do precision
13 resources. We're finding that there's a
14 profile to those who are on the pathway to

15 crime: Drops out of school, in homeless
16 shelters, dealing with mental health
17 illnesses. So let's not wait for them to
18 pick up a gun; let's pick up their lives by
19 giving them the support they need, partnering
20 with the crisis management team, give them
21 the resources they need to make this happen.

22 ASSEMBLYMAN SCHMITT: Thank you.

23 Real quick, I have a lot of New York
24 City retirees in my district, very concerned

1 about the changes to their retiree
2 healthcare. They're concerned you haven't
3 been able to meet with them. Can you pledge
4 to meet with them and help fix their
5 concerns?

6 MAYOR ADAMS: I am surprised that
7 anyone would tell you that it's difficult to
8 meet with me. I drive my team crazy, because
9 if I'm on the street and someone stops me and
10 asks me for my cellphone, I give people my
11 cellphone. I am an accessible elected. I
12 love being around people. I love hearing
13 from people. You can't be a good shepherd if
14 you're not hanging out with the sheep.

15 So I look forward to meeting with them

16 because I can hear from them. I looked over

17 the plan, I spoke with my union leaderships

18 and my director of OMB. They clearly laid it

19 out. I am a retiree. That plan is my plan.

20 And so I'm concerned about anything that's

21 wrong with my healthcare. You don't become a

22 civil servant to be a millionaire, you become

23 a civil servant to have a stable retirement

24 and live a good life.

1 But I look forward to meeting with
2 them, and I think that once they are
3 explained the plan, they're going to feel
4 more comfortable. I think we failed in the
5 rollout and the explanation.

6 ASSEMBLYMAN SCHMITT: Thank you. I'll
7 reach out to your team to set that up.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 We go back to the Senate.

10 CHAIRWOMAN KRUEGER: Thank you.

11 We next go to Senator John Liu.

12 SENATOR LIU: Thank you, Madam Chair.

13 Welcome, Mr. Mayor. You had really
14 high expectations coming in, and you've been

15 hitting the ground running. And you're going

16 to have to keep running for a while, man.

17 Good to see you.

18 My first question has to do with the

19 way we run our schools in New York City. You

20 mentioned in your testimony that you want

21 that four-year extension. My question to you

22 is, given your concern and many of our

23 concerns about the lack of parental input in

24 recent years, do you think that that mayoral

1 accountability should simply be extended

2 without changes?

3 MAYOR ADAMS: Yes, I do. And I know

4 people are jaded because of, you know, the

5 lack of communication, lack of really having

6 engagement.

7 I am asking that -- you know, give me

8 the chance to do what I've advocated for.

9 And it's difficult to really plan for the

10 future, that we're unable to know where we

11 are going to be in the next four years.

12 There are areas we want to look at and tweak

13 to make better, and I'm looking to hear from

14 you on some of those areas. But we should

15 never take away the ultimate responsibility
16 that the mayor should be responsible for
17 improving our educational system.

18 SENATOR LIU: So, Mr. Mayor, you don't
19 want to be the one to offer the changes, you
20 want us to tell you what changes we think are
21 necessary, based on the input that we get
22 from our constituents, and we'll work
23 together from there?

24 MAYOR ADAMS: Well, I want to hear

1 from you, I want to hear from your overall --
2 based on what you hear from the constituents.

3 But let's be clear, New York City
4 residents -- we may have 8.8 million people;
5 we have 20 million opinions. They're not shy
6 in telling me where they think things are
7 wrong. And so when we listen to what's
8 coming from our lawmakers, based on my
9 communication with parents, we will come up
10 with a good plan. But it should end with the
11 mayor being responsible for the school
12 system.

13 SENATOR LIU: Sure. But that doesn't
14 necessarily mean that there shouldn't be

15 improvements made to school governance in
16 New York City. Look at what happened in
17 Chicago. They went away from mayoral control
18 and went back to a more -- what they would
19 call a more democratic system of how to run
20 our schools.

21 My question to you is did you ask
22 Governor Hochul for a three-year extension,
23 as was reported in some newspapers, and she
24 said "You can have four"?

1 MAYOR ADAMS: No. You know, I don't
2 know -- you know, newspapers sometimes report
3 what their interpretation of a conversation
4 is. And, you know, I've always had a
5 standard -- even when I speak with you, John,
6 you know I've never mentioned our private
7 conversations. So it's my belief that
8 private conversations should not be put out
9 in public.

10 But I am clear on this. I want the
11 responsibility of turning around a school
12 system that has failed New Yorkers in
13 general, but specifically Black and brown
14 children. It is a stain on our city that

15 65 percent of Black and brown children don't

16 meet proficiency every year. Unacceptable.

17 SENATOR LIU: If we need \$3 billion

18 for schools, and according -- if the news

19 reports are right, I think you should -- I'm

20 sorry, if we need \$4 billion for our schools,

21 you should ask the Governor for \$3 billion

22 and maybe we'll get four.

23 The last comment I will make to you is

24 that in -- you know, you campaigned -- you

1 left no stone unturned in the city. And you

2 are -- you campaigned in every single

3 community. You're in fact like the first

4 Asian American mayor in New York City.

5 (Laughter.)

6 SENATOR LIU: So along those veins, I

7 would like to encourage you, every time you

8 say Black and brown, you can say Black, brown

9 and yellow. It's okay to refer to Asian

10 Americans as such, because we are a community

11 of color just as much as anybody else. Thank

12 you.

13 MAYOR ADAMS: Yes, yes, you are. And

14 I thank you. My support in the Asian

15 community -- you know, the AAPI has been
16 amazing for me, and they know I'm going to be
17 a mayor for this entire city. I look forward
18 to it.

19 CHAIRWOMAN WEINSTEIN: And Senator
20 Liu, if you want to see the mayor embracing
21 the Asian community, he was at the Homecrest
22 Senior Center yesterday for the lunar
23 celebration, and he was dressed perfectly. I
24 was virtual, and he was there. And he could

1 have been a member; it was hard to tell.

2 (Laughter.)

3 CHAIRWOMAN WEINSTEIN: So now we go to

4 Assemblyman Carroll, three minutes.

5 ASSEMBLYMAN CARROLL: Thank you,

6 Chair Weinstein.

7 And thank you so much, Mr. Mayor. And

8 I want to thank you for sharing your dyslexia

9 story. As somebody who is dyslexic, it was

10 so refreshing to hear somebody talk about

11 their struggles with reading, not because of

12 intellect or effort, but because of the

13 failure to diagnose and identify dyslexia and

14 give those children the evidence-based

15 reading curriculum that they so desperately

16 need.

17 My life was saved -- let me underline

18 that -- my life was saved because in first

19 grade a teacher identified me as dyslexic,

20 and my parents had the means to get me a

21 neuropsych, and then I was able to go to a

22 school that provided me with an

23 evidence-based reading curriculum that was

24 multisensory, sequential, and rooted in

1 phonics. I would never have gone to law

2 school, I wouldn't be standing here today if

3 not for that.

4 Your advocacy during the campaign to

5 talk about screening for dyslexia, to talk

6 about evidence-based reading curricula, is a

7 breath of fresh air that we so desperately

8 need. I commend you so much for what you and

9 Chancellor Banks have done. I'm working with

10 Chancellor Banks right now to circulate a

11 letter among my colleagues for \$10.2 million

12 for identification and for curriculum

13 interventions. Think about that --

14 just \$10.2 million in an education budget

15 that's \$30 billion.

16 Can you tell us a little bit more

17 about what you and Chancellor Banks are doing

18 to make sure that we reach all of our

19 children so they can meet their potential?

20 You mentioned that 65 percent of Black and

21 brown children in New York City are not at a

22 proficient reading level, and we know if

23 that's -- at fifth grade, if a child is not

24 reading at grade level, they're rarely ever

1 going to catch up.

2 This is a crisis. You've identified

3 the crisis, you've taken your pain and put it

4 to purpose. It's work that I've done here in

5 Albany for the last six years, and I can tell

6 you -- we've only made incremental gains, but

7 I feel the sky is the limit with you. So I

8 want to thank you, Mr. Mayor, for that.

9 I want to know how we can help you to

10 make sure that we can have universal

11 screening for dyslexia and we can get

12 evidence-based reading curricula in our

13 schools, because right now we don't. And you

14 know what? If you're a denier of

15 evidence-based reading curricula, you're no

16 better than a climate denier, because the

17 evidence is there, the science is there. We

18 desperately need it. How can we help you,

19 Mr. Mayor?

20 CHAIRWOMAN WEINSTEIN: Forty seconds.

21 MAYOR ADAMS: Well, first of all, you

22 know, almost -- you sounded emotional. And

23 when I think about it, you're thanking me,

24 but I want to thank you. I was ashamed even

1 as an adult for being dyslexic. And I heard
2 you talk about it one day, Assemblyman, and I
3 made it my decision to talk about it on the
4 campaign trail. I said, you know, I'm no
5 longer going to live in the shadows of having
6 a learning disability. Because people
7 stigmatize you, not knowing that you just
8 learn differently.

9 And when I saw your boldness about how
10 you talked about it and you fought for it, we
11 reached out in the borough president's office
12 and we said we wanted to partner with you,
13 and you were receptive to that. And you're
14 going to change the lives of people. It's

15 unimaginable in this country that it is
16 expected that 30 percent of our prison
17 population is dyslexic. The crime is not
18 what they did only on the streets, the crime
19 is the educational system that denies
20 families for so many years.

21 And we're going to get it done. Right
22 here in New York we have already started on
23 some preliminary actions. Here in the city,
24 we're doing reading screenings for students

1 in grades K through 12. But our goal, as you
2 stated, is that we want to do universal
3 screening for dyslexia.

4 And then we have to stop demonizing
5 what we are having parents feel, that their
6 child has a learning disability. They just
7 learn differently.

8 And our goal is to continue to work on
9 a more substantive dyslexia screening plan
10 that's universal, and DOE arena screening is
11 crucial for the grades of, you know, K-2 --
12 I'm sorry, not K-12, but K-2. And it's
13 imperative that we continue to expand that
14 out. Because if we could identify it early,

15 we could give the support.

16 And then we need a school that's

17 specifically for children with dyslexia, and

18 that is part of the goals we want to

19 accomplish.

20 So I'm excited about the future. I'm

21 excited about your partnership. And so I say

22 to you thank you for taking the weight off of

23 my shoulders throughout life that made me

24 feel I had to hide my dyslexia. And you and

1 Jo Anne Simon, the Assemblywoman, have made
 2 it a different approach and people are now
 3 thinking differently and they're acting
 4 differently. And we're going to save the
 5 lives of children and families.

6 ASSEMBLYMAN CARROLL: Thank you,
 7 Mr. Mayor. You're amazing. Thank you so
 8 much. Whatever you need.

9 CHAIRWOMAN WEINSTEIN: Thank you.
 10 To the Senate.

11 CHAIRWOMAN KRUEGER: Thank you very
 12 much. We are up to Senator Pete Harckham.

13 SENATOR HARCKHAM: Good morning,
 14 Mr. Mayor. Great to see you, as always. And

15 thanks for being here, and thanks for your

16 honesty just before.

17 Two quick questions, unrelated. I

18 represent the East of Hudson Watershed for

19 New York City's drinking water supply --

20 Westchester, Putnam and Dutchess. And

21 through prior agreement, the local

22 municipalities protect that unfiltered water

23 source through a variety of methods, mostly

24 by constructing sewer districts and

1 converting old septic to sewer -- a very
2 expensive process. New York fills some of
3 the bill with Water Quality Improvement
4 funds. That is a finite amount. And our
5 municipalities need to plan long-term.

6 The policy of New York has been to not
7 release more money until the current money is
8 spent. That's fine, understood. But the
9 municipalities need to know how much the next
10 level of funding will be so they can do
11 long-term planning to protect the water
12 supply of New York City.

13 Last year at this time your
14 predecessor said he would release the amount;

15 he didn't. Are you in a position where -- I
16 mean not today, obviously. But can DEP at
17 least let the municipalities know in the
18 future how much money will be in the next
19 round of funding so they can at least do some
20 long-term planning?

21 MAYOR ADAMS: First of all,
22 transparency is clear, and transparency
23 allows us the opportunity to plan forward. I
24 want to turn it over to my budget director,

1 but I can tell you that we want to be as

2 transparent as possible.

3 Jacques, you want to add on to it?

4 NYC BUDGET DIRECTOR JIHA: Yeah, I

5 will work with Finance, working with DEP, to

6 see exactly what the story is, and I will

7 come back to you.

8 SENATOR HARCKHAM: All right,

9 terrific. Thank you very much.

10 One other question. Just want to

11 correct a mischaracterization from earlier in

12 the public hearing. The Governor's ADU

13 proposal, accessory dwelling unit proposal,

14 does not strip local discretion in land use.

15 Rather, it just requires each municipality to
16 create a law to allow for residents to create
17 ADUs within the existing footprint that
18 they're already zoned.

19 Part of that proposal is \$85 million
20 to bring illegal accessory dwelling units up
21 to code and make them legal. So whether it's
22 illegal basement apartments in New York City
23 or illegal attic apartments or basement
24 apartments in Westchester County, I think

1 it's vital that we use that money to make

2 those units safe.

3 Is that something that would be

4 beneficial for the City of New York,

5 Mr. Mayor?

6 MAYOR ADAMS: Yes. I strongly support

7 the Governor's proposal. And it really plays

8 into our pathway to new housing. And it was

9 a smart way to do so, to legalize these

10 units.

11 We had a proposal that was pushed, you

12 know, last year around how do we make even

13 our basement apartments safe by using FDNY

14 and DOB, and we want to further lean into

15 that. But I strongly support the Governor's

16 proposal.

17 SENATOR HARCKHAM: Thank you very

18 much.

19 CHAIRWOMAN KRUEGER: Thank you.

20 Assembly.

21 CHAIRWOMAN WEINSTEIN: We go to

22 Assemblyman Tannousis, three minutes.

23 ASSEMBLYMAN TANNOUSIS: Thank you very

24 much.

1 Good morning, Mr. Mayor. Good to see
2 you this morning.

3 MAYOR ADAMS: Good morning. Good to
4 see you as well.

5 ASSEMBLYMAN TANNOUSIS: Good to see
6 you. I just have two separate questions for
7 you, and I'm going to try to fit them in in
8 the three minutes.

9 The first question is in regards to
10 the dangerousness standard for allowing
11 judges to hold defendants with a
12 dangerousness statute in pretrial detention.

13 You have advocated for that, as have I.

14 There have been some critics out there that

15 have been stating that it may lead to some
16 discriminatory outcomes. What do you say to
17 those critics as far as if that will indeed
18 have an effect, discriminatory effect, upon
19 these defendants?

20 And how are we --

21 MAYOR ADAMS: (Inaudible overtalk.)

22 ASSEMBLYMAN TANNOUSIS: -- that

23 possible?

24 MAYOR ADAMS: When I started this

1 pursuit of doing criminal justice reform, I
2 was concerned when I saw the number of cases
3 where the bail and other -- even
4 sentencing -- was heavily unfair to Black and
5 brown defendants. And I was extremely
6 concerned about that, and I stated the way we
7 can really keep this in alignment is to make
8 sure that we have transparency. Every judge
9 should do a clear analysis of their
10 sentencings, as well as their bail.
11 And this can put that concern to rest.
12 We could immediately identify it, and you
13 could do this in realtime. And that is how
14 we address that issue that I was concerned

15 about, and I believe there are mechanisms

16 right now to make sure we don't have the

17 unfair bail.

18 But again, I'm for removing cash bail

19 altogether. You know? I don't think your

20 ability to pay should determine if your

21 violence is something that you are dangerous

22 to society. And I want to be clear on that.

23 We need to -- dangerousness is an important

24 part of determining should someone go back

1 out into our communities.

2 ASSEMBLYMAN TANNOUSIS: Thank you,

3 Mr. Mayor.

4 The second question I wanted to ask

5 you is in regards to charter schools.

6 Charter schools have children in minority

7 communities across the city. Would you

8 support lifting the charter school cap to

9 help our students in struggling communities?

10 MAYOR ADAMS: Well, you know, of

11 course, you know, that's going to come out of

12 Albany to make the final determination. And

13 I'm a big believer, with the chancellor --

14 it's something we talk about all the time.

15 It's about scaling up excellence. And
16 wherever we find the excellence -- if it's in
17 district schools, public schools, charter
18 schools -- we say scale it up. We need to
19 have the best educational opportunities for
20 our children.

21 But we also should look into the
22 zombie charters. We have a large number of
23 charters that are not being used. Let's get
24 those zombie charters also back online so

1 that we can get the best system in support of

2 that.

3 So I'm in support of scaling up

4 excellence -- wherever we find it, scaling up

5 excellence.

6 ASSEMBLYMAN TANNOUSIS: Thank you,

7 Mr. Mayor.

8 CHAIRWOMAN KRUEGER: I guess it's back

9 to the Senate.

10 Our next is Senator Roxanne Persaud.

11 SENATOR PERSAUD: Well, thank you,

12 thank you.

13 Good morning, Mr. Mayor. It is great

14 to see you. I just want to thank you for

15 everything that you're doing. Are you

16 hearing me?

17 MAYOR ADAMS: Yes, I can. Hear you

18 well.

19 SENATOR PERSAUD: Oh, thank you,

20 because my machine is going in and out.

21 Thank you.

22 I just want to thank you for

23 everything that you promised that you will

24 do, and you have indeed lived up to GSD. So

1 I appreciate all of that.

2 I want to ask you about summer youth

3 employment. We've seen a spike in gun

4 violence, primarily across my district. As

5 you know, I have seven numbered precincts,

6 and up to yesterday, in the 75th, there was

7 another shooting and in the 69th there was

8 another shooting.

9 What do we intend to do to ensure that

10 more youth are employed under the Summer

11 Youth Program? Can the city commit to

12 increasing the number of employment slots

13 that are funded?

14 MAYOR ADAMS: Thank you, Senator.

15 And when you do an analysis -- I had a
16 briefing the other day of an analysis of
17 where the violence is coming from: Canarsie
18 is one of the areas. We have a real gang
19 problem that's taking place with the number
20 of gangs, violent gangs in that area. A
21 traditionally stable community -- homeowners,
22 heavy community from the Caribbean
23 diaspora -- and we need to zero in on that
24 problem that's happening. And it's coming

1 from a lot of the rap industry and social
2 media. They are feeding a lot of this -- a
3 lot of this crime.

4 So several things. Number one, we
5 believe that every child that's looking for a
6 summer job should receive a job. We're going
7 to launch an unprecedented Summer Youth
8 engagement program where we can get our young
9 people employed. Because it's more than just
10 keeping them busy over the summer; this helps
11 them compensate for their families. I don't
12 know what my family would have done to pay
13 for school supplies and clothing if we didn't
14 have a Summer Youth job during the

15 summertime. So we're going to do that.

16 But we're also asking our corporate

17 leaders -- it's time for them to step up. We

18 should do a 100 percent paid internship

19 program for every young person that wants a

20 paid internship, to allow them to be exposed

21 to a corporate environment and put them on

22 the pathway to employment.

23 So it's imperative that we have our

24 partnership from Albany to continue to expand

1 the Summer Youth. But I'm a believer,
2 Senator, 100 percent summer youth employment
3 for all of our young people. And we need to
4 accomplish that task during the summer months
5 in particular. We're --

6 SENATOR PERSAUD: Thank you. Thank
7 you. I'm sorry to cut you off, Mr. Mayor.

8 In my 24 seconds that I have left, can
9 you tell me -- touch on why NYCHA needs the
10 Public Trust? Can you touch on that quickly?

11 And also I want to commend the
12 commander of the 61st Precinct for the
13 mentorship program that he's implemented.

14 And I want to see us replicate that across

15 the city, so if your team can look into that.

16 But can you touch on the Public Trust

17 for NYCHA?

18 MAYOR ADAMS: So important. You know,

19 NYCHA -- Senator, NYCHA has a \$40 billion

20 problem. And, you know, we often talk about,

21 well, you know, when the federal government

22 comes -- listen, those bugles we're hearing,

23 that is not the cavalry, that's taps. NYCHA

24 is dying. And we need to get resources now

1 into NYCHA.

2 And I know there's a lot of distrust,
3 and I'm going to continue to go to all of my
4 NYCHA facilities to talk about the distrust
5 that they are feeling.

6 But this is a way of ensuring that we
7 can fund these capital projects by utilizing
8 the trust to do so. We have to fund these
9 capital projects. There must be an entity to
10 put the money into the public health and
11 public safety issues NYCHA's facing. Its
12 record has gotten worse throughout the years,
13 and you know that because you have been in a
14 lot of the various facilities.

15 And I believe the ongoing conversation
16 about establishing this trust could qualify
17 NYCHA for more federal subsidies and
18 establish better procurement rules, and I
19 think it's critical for us to institute it.
20 And we want to do a tour throughout all of
21 our NYCHA facilities to explain to them what
22 this trust is about, so we can rebuild trust
23 with NYCHA and make sure that it's done
24 correctly.

1 SENATOR PERSAUD: Thank you.

2 CHAIRWOMAN KRUEGER: Helene, back to

3 you.

4 CHAIRWOMAN WEINSTEIN: We go to

5 Assemblyman Weprin, three minutes.

6 ASSEMBLYMAN WEPRIN: Good morning,

7 Mr. Mayor.

8 MAYOR ADAMS: Good morning.

9 ASSEMBLYMAN WEPRIN: It's great to see

10 you and great to see two friends of long

11 standing who you brought with you, Tiffany

12 Raspberry and Jacques Jiha, who I've worked

13 with closely over my 20 years in elective

14 office -- eight years in the City Council and

15 now 12 years in the Assembly.

16 I chair the Corrections Committee in

17 the Assembly, and we had a hearing of the

18 Assembly Corrections Committee in October

19 specifically on Rikers Island. And I have

20 not had the privilege of meeting

21 Commissioner Molina yet, but I hope to have

22 an opportunity to sit down with him and go

23 over some of the relevant issues.

24 But out of that hearing I'm

1 introducing a package of bills, some to help
2 correction officers and correction employees,
3 like ending triple shifts and dealing with
4 sexual assault, increasing those penalties
5 against correction officers. But I also have
6 bills to change the intake process, to get
7 the treatment and the mental health
8 evaluation and substance abuse issues at
9 intake, which could solve some of the
10 problems and might have prevented some of the
11 15 deaths in the last year at Rikers.

12 Can you comment on your plan to deal
13 with the situation in Rikers? And I know
14 Commissioner Molina -- it's very much on

15 Commissioner Molina's radar, but I haven't
16 sat down with him or discussed it.

17 MAYOR ADAMS: Thanks so much. And
18 we've done so much together, Assemblyman.

19 And I'm going to make sure, when we finish
20 this conversation, that I reach out to the
21 commissioner so he can coordinate a time for
22 you to meet with him.

23 We inherited a mess on NYCHA {sic} --
24 the lack of having a full understanding with

1 the employees there. People think of
2 employees as only being correction officers,
3 but also the civilian employees that are
4 there. And we have to create the right
5 environment. And Commissioner Molina is the
6 perfect person in Rikers -- I'm sorry, I said
7 NYCHA; I meant Rikers. Commissioner Molina
8 is the perfect person in Rikers to turn it
9 around. I wanted the right combination to do
10 so.

11 And so we need to look at several
12 areas. Number one, the place needs to be
13 clean. When I walked through and did my
14 visit at NYCHA {sic}, it's a dark, dreary

15 place and we need to turn that around.

16 Number two, we need to create an

17 environment of where officers are able to do

18 their job in a safe environment.

19 Three, we need to separate the small

20 number of violent inmates that prey on other

21 inmates. Eighty percent of those who are in

22 punitive segregation create an attack against

23 another inmate. And then we need to make

24 sure that the inmates that are there are able

1 to serve their time without violence.

2 And then we need to make sure that we
3 move towards a very safe way of transitioning
4 to the plan of closing down Rikers in a safe
5 way to do so. And that's what Commissioner
6 Molina is doing so. I'm proud of what he's
7 doing already. We were able to bring back
8 the women and take them from the state
9 facilities; we were able to bring back almost
10 a thousand officers who were out sick.
11 They're now back to work. He has really
12 calmed the waters, and now we're going to
13 make sure the ship moves in the right
14 direction to have a safe place for people to

15 be able to serve their time with dignity, not
16 a lack of respect, by reintroducing
17 programming. And then really use this place
18 as an opportunity that people are not placed
19 back in the same system that caused them to
20 go there in the first place, and give them
21 the support that they need to do so.

22 CHAIRWOMAN WEINSTEIN: Thank -- thank
23 you --

24 ASSEMBLYMAN WEPRIN: Well, look

1 forward to working with you and

2 Commissioner Molina.

3 CHAIRWOMAN WEINSTEIN: Thank you,

4 Mayor. We go to the Senate.

5 CHAIRWOMAN KRUEGER: Thank you.

6 Next is our ranker, Ed Rath.

7 SENATOR RATH: Thank you very much,

8 Madam Chair.

9 And first of all, Mayor Adams, we

10 appreciate your time and your testimony

11 today, and for your perspective on bail

12 reform measures as well as public safety

13 prioritization. Believe me, the people do

14 not feel safe in our cities and our

15 communities right now, and change must
16 happen. We hear it loud and clear in my
17 Western New York community, that's for sure.

18 My first question is, does your team
19 have any projections as to what the costs to
20 New York City may be if the state fails to
21 act on the public safety revisions you
22 mentioned?

23 MAYOR ADAMS: Thank you for that,
24 Senator. We're doing an analysis now of the

1 exact impact on the cost of some of the
2 actions that we're seeing.

3 But I would say this. Tied to public
4 safety is our economy. No one is going to
5 come back to our city with tourism, a
6 multi-billion-dollar industry, if we have
7 3-year-olds shot in Times Square, the center
8 of our tourism. Businesses are not going to
9 open. We just had a drugstore that closed
10 its business because of the amount of thefts
11 that are taking place inside.

12 Now remember, that drugstore chain may
13 be a large chain, but go look inside at the
14 employees there. They're low-wage employees

15 that need the jobs. Our economic lifeline is
16 our subway system. If it's an unsafe subway
17 system, then we're not going to have people
18 respond to ride the trains as needed. And
19 so, Assemblyman {sic}, we know there's an
20 economic impact to not having a safe city.
21 It's not disconnected, and I'm clear on that.

22 And when I speak with the partnership
23 and Kathy Wylde and the countless number of
24 corporate CEOs and executives, the number-one

1 thing they say to me: Eric, we must be safe
 2 for our employees. And I have to produce
 3 that safety so our economy is not devastated.
 4 Just look towards San Francisco, look towards
 5 Chicago, look towards the other cities in
 6 this country that are experiencing a lack of
 7 safety. New York can't go in that direction.

8 SENATOR RATH: I couldn't agree with
 9 you more. And public safety needs to be our
 10 A-number-one priority in our communities
 11 right now.

12 A quick follow-up on that, though.
 13 one of our greatest assets in the State of
 14 New York is our people, and our people own

15 businesses, they create jobs, and they work
16 in our communities. The outflow that we have
17 seen of residents from New York City and
18 New York State over the past two years has
19 been dramatic, to the tune of almost a
20 thousand people a day. And those are people
21 that are going to lower taxes in less
22 regulatory states.

23 What can we do to retain and attract
24 people in our great state so we have the

1 economic future you're talking about?

2 MAYOR ADAMS: Assemblyman {sic}, first

3 we have to do something that I call and I use

4 often: Upstream. We have to change the way

5 we govern. We have a downstream mindset. As

6 Archbishop Desmond Tutu states: We've spent

7 a lifetime pulling people out of the river.

8 No one goes upstream to prevent them from

9 falling in in the first place.

10 I'm going to make upstream

11 investments, something as simple as what

12 Assemblyman Carroll stated -- dyslexia

13 screening. Let's not pull them out of the

14 river downstream. Or investing in our foster

15 care system, because we've failed to do the
16 proper investment. When children age out at
17 21 years old, only 20-something percent
18 graduate from high school, and only 3 percent
19 enroll in college -- more likely to be
20 homeless, with mental health issues. But if
21 we invest just \$50 million in something like
22 a fair future, we could turn that around.

23 So people will come back to the city
24 and feel as though they are part of New York

1 if we are a safe, clean city where we can
2 raise our children and families. And that's
3 what I must do, and I believe we're going to
4 accomplish that task.

5 SENATOR RATH: Thank you. Please keep
6 up the fight for public safety.

7 MAYOR ADAMS: Thank you.

8 CHAIRWOMAN KRUEGER: Thank you.

9 Back to the Assembly.

10 CHAIRWOMAN WEINSTEIN: Yes, we go next
11 to Assemblyman Mamdani, three minutes.

12 ASSEMBLYMAN MAMDANI: Thank you,
13 Chair.

14 Thank you, Mr. Mayor.

15 In your testimony you said, quote, We
16 must use every available option to increase
17 housing affordability and stability in our
18 city. One of the key tools you have at your
19 disposal in that fight is the Rent Guidelines
20 Board and your appointments to that board.

21 The previous mayor's board froze rents
22 four times. Do you believe that tenants in
23 rent-stabilized units should face rent
24 increases this year?

1 MAYOR ADAMS: Well, I think we're
2 going to a very difficult point and place in
3 what -- the impacts on our tenants, and the
4 Rent Guidelines Board is going to do the
5 right analysis to determine the outcome. I
6 don't believe we need to do a further burden
7 on our tenants -- almost a million tenants
8 are behind in their rents, and I think it's
9 imperative that we do everything that's
10 possible to assure the stability of that.

11 But also know something else that's
12 often missed in this conversation. It's
13 called small property owners are tied to
14 their rents. It's their ability to pay their

15 taxes, their utility bills. We need to give
16 help to them as well. We need to make sure
17 that we don't hurt those small property
18 owners, because particularly in New York
19 City, they're Black and brown and
20 immigrants --

21 ASSEMBLYMAN MAMDANI: I'm so sorry --

22 MAYOR ADAMS: -- people of color that
23 need the income that comes from their rents.

24 And so there needs to be some support

1 for them, and they're often missed in this
 2 conversation. And we need to be there for
 3 them as well.

4 ASSEMBLYMAN MAMDANI: Thank you,
 5 Mr. Mayor. But just respectfully, if you
 6 could answer the question: Do you believe
 7 that tenants in rent-stabilized units should
 8 face rent increases this year?

9 MAYOR ADAMS: I believe I did answer
 10 that question. I believe the Rent Guidelines
 11 Board is going to do their analysis. I will
 12 hope that we don't have to give an increase
 13 to those tenants because of what the burden
 14 has been placed on them. Many of them have

15 been unemployed, laid off, our economy is

16 being hit.

17 I think there's a balance. Sometimes

18 we only focus on one end of the spectrum.

19 Let's freeze the rent of the tenants but

20 let's give the support to those small

21 property owners as well. And I think that

22 support can come from Albany, to make sure we

23 don't lose those homeowners that are holding

24 on. Because just as the tenants have been

1 impacted, those homeowners have been impacted
 2 as well. And sometimes we forget those
 3 homeowners.

4 And so we can freeze it. Let's do so
 5 with that evaluation.

6 ASSEMBLYMAN MAMDANI: Thank you so
 7 much, Mr. Mayor. A different topic.

8 New York City's own data from your
 9 Office of Criminal Justice shows that
 10 pretrial rearrest rates remain nearly
 11 identical pre- and post-bail reform. In
 12 other words, releasing people earlier has
 13 statistically had no effect on crime.

14 Given this data, why are you claiming

15 that the bail laws are driving a crime wave

16 in New York?

17 MAYOR ADAMS: Well, a couple of

18 things. That data, you need to really look

19 at it. Let me just go to another one of my

20 signs here. 2019-2021, number arrested for

21 homicide out on bail for gun offenses

22 tripled, tripled. We're talking homicides.

23 We lost lives, lost lives.

24 Second, number arrested for shooting,

1 out on bail for gun offenses nearly tripled,
2 tripled.

3 And so what I'm saying, if you look at
4 my history in this conversation -- not as
5 mayor, not as borough president, but my
6 history is for reform of the criminal justice
7 system.

8 And we often look at the total picture
9 of everyone who commits dangerous crimes. I
10 am saying there's a small percentage of them
11 that's driving up the gun violence, that's
12 driving up some of the felonious assaults
13 with weapons. That's what we need to zero in
14 on.

15 My tweak zeroes in on them; it doesn't
16 hurt the overwhelming number of people who
17 are arrested in the criminal justice system.

18 It zeroes in on, in a precision, strategic
19 way, on the violent people that live with the
20 numbers that I just reported to you. That is
21 who we have to go after.

22 CHAIRWOMAN WEINSTEIN: Thank you. And
23 we go --

24 MAYOR ADAMS: -- discuss these tweaks

1 together so that we can come to a real

2 resolution as a person who has a been a

3 leading voice for 35 years on criminal

4 justice reform. I'm not new to this. I'm

5 true to this. This is my lifework.

6 CHAIRWOMAN WEINSTEIN: Thank you.

7 Thank you, Mr. Mayor. We go to the Senate.

8 CHAIRWOMAN KRUEGER: Thank you.

9 And Mr. Adams, you are not new to

10 this, so I'm going to remind you to please

11 watch the clock when you're finishing your

12 statements.

13 MAYOR ADAMS: Yes, ma'am.

14 CHAIRWOMAN KRUEGER: Next up is

15 Senator Leroy Comrie.

16 SENATOR COMRIE: Thank you, Madam

17 Chairs.

18 Good morning, Mr. Mayor. And good

19 morning to --

20 MAYOR ADAMS: Hey, how you doing,

21 Leroy?

22 SENATOR COMRIE: And also good morning

23 to my constituent --

24 MAYOR ADAMS: You may not know it, but

1 my middle name is Leroy.

2 SENATOR COMRIE: Oh, that's right.

3 That's right. And also to Commissioner

4 Jacques Jiha, who is a constituent of mine --

5 I hope still. But you're probably going to

6 have him working so hard he might have to

7 move to Manhattan just to keep up.

8 And also to Sister Raspberry. Good to

9 see you also. We've had -- I enjoyed a great

10 working relationship with you and your team,

11 and I want to commend you, Mayor Adams, as

12 your team has been truly responsive and

13 especially quick to get back to us in

14 Southeast Queens.

15 I have five questions, so I'm going to
16 just drop some things for you to consider and
17 then one question for you to answer, if I
18 may.

19 We need to work on bus redesign. It's
20 coming back up in Queens. And I would hope
21 that you and your team work with us, with
22 DOT. DOT unfortunately has a horrible record
23 of response on all issues in Queens. We need
24 to do bus redesign, working with the MTA, to

1 make sure that we can move buses, especially
2 in Southeast Queens, direct to Long Island
3 Rail Road, so that we're not overly dependent
4 on the subway system throughout Queens.

5 So we have plenty of capacity on the
6 Long Island Rail Road for essential workers
7 to take the Long Island Rail Road in, and
8 there have been studies to show that. And we
9 will follow up and send that to your office.

10 DOT, again, has been a problem. And I
11 hope that we can consider, on a citywide
12 level, residential parking permits for
13 certain neighborhoods that are inundated with
14 over -- people that are parking and walking

15 to the subway from Long Island.

16 Plus another issue that I wanted to

17 share with you. We need to make sure that we

18 do tech support and financial services for

19 locally based organizations that don't have

20 the capacity to do it themselves, so that

21 they can be available to be competitive for

22 being part of the different contracts that

23 are going to come up to try to reduce

24 violence by having alternative programs.

1 If our local programs cannot be able
2 to qualify because they don't know how to
3 even fill out the Attorney General form, we
4 need some help for those programs as well.

5 Just another thing, on education -- I
6 only got 40 seconds? Oh, okay. Education,
7 we need to figure out the after-school
8 facilities and programs. I want to work with
9 you to make sure that that happens, that --
10 your idea and our Education Commissioner
11 Banks' to make sure that we have after-school
12 programs in every school in our district. As
13 you know from growing up, we used to have
14 schools open until 8 o'clock. And some

15 schools need to be open 24 hours on weekends

16 for our communities.

17 Also, for the local groups that are

18 trying to use the schools, we need to lower

19 the cost for local groups that are using the

20 schools now. It's become very prohibitive

21 for local nonprofits to use school space for

22 community programs, and we can work on

23 reducing those costs.

24 And I just have one question. You

1 asked for an increase in bonding capacity.

2 CHAIRWOMAN WEINSTEIN: Well, excuse --

3 SENATOR COMRIE: How could you

4 increase the bonding capacity -- how can you

5 increase delivering capital projects with

6 that bonding capacity?

7 Thank you.

8 CHAIRWOMAN KRUEGER: Leroy, you have

9 way over --

10 SENATOR COMRIE: I know, I know, I

11 just --

12 CHAIRWOMAN KRUEGER: You're not

13 getting any answers from the mayor right now.

14 SENATOR COMRIE: Too many questions,

15 too little time. But I just --

16 CHAIRWOMAN KRUEGER: The mayor can

17 answer your questions in writing or offline

18 to you.

19 And Mr. Mayor, there will be many

20 questions you don't necessarily have the

21 answers at the tip of your fingertips. So if

22 you're please writing any responses, address

23 them to Helene and myself and we'll make sure

24 all members of the committees get your

1 answers. Thank you.

2 Helene.

3 MAYOR ADAMS: You're quite welcome.

4 SENATOR COMRIE: Thank you.

5 CHAIRWOMAN WEINSTEIN: Yes, thank you.

6 So now we're going to go with

7 Assemblywoman Rozic, three minutes.

8 ASSEMBLYWOMAN ROZIC: Thank you,

9 Chair.

10 Good morning, soon to be good

11 afternoon, Mr. Mayor.

12 MAYOR ADAMS: Good afternoon to you as

13 well. And I said "bless you" when you were

14 sneezing.

15 ASSEMBLYWOMAN ROZIC: Thank you. I'm

16 impressed you noticed that.

17 I just have one question for you. The

18 chancellor -- Chancellor Banks said Monday

19 night that city workers will announce -- the

20 city will announce its plans for remote

21 learning next week and that it's a big

22 priority for the city.

23 In a similar vein, I have legislation

24 pending with Senator Comrie to allow for

1 telework for city workers where possible.

2 Currently remote accommodations we've heard

3 take months to be processed and responded to.

4 That's inefficient.

5 So is your administration open to

6 upstreaming, making reasonable accommodations

7 where possible for remote or telework for

8 city workers? And similarly, would you be

9 willing or commit to meeting with these

10 impacted city workers who have been calling

11 for increased flexibility?

12 MAYOR ADAMS: For whatever reason,

13 there was an echo, so I wasn't really able to

14 get it, but I believe you asked about remote

15 workers for -- it's city employees --

16 ASSEMBLYWOMAN ROZIC: Yes.

17 MAYOR ADAMS: -- am I correct? Okay.

18 The -- you know, I'm a big believer in

19 transit improvements, that's number one. But

20 if you were asking about remote working for

21 city employees, I really need for all of us

22 to wrap our heads around why we need the

23 people back to work. Because I don't think

24 we really sort of understand it.

1 If we convert our city into a remote
2 city, it's going to hurt low-wage workers. I
3 need that accountant back in his office or
4 her office so that they can go to the local
5 restaurant, they can get their shoes shined,
6 they can take their suits to the tailor's.
7 Because if they're not in that restaurant,
8 then that cook, that waitress, that waiter,
9 that bartender, they're not employed.

10 ASSEMBLYWOMAN ROZIC: I understand
11 that --

12 MAYOR ADAMS: And they're not bringing
13 in the business travelers. Seventy percent
14 of business -- the hotel occupancy comes from

15 our business travelers. And so wherever --

16 ASSEMBLYWOMAN ROZIC: I'm asking

17 about -- I'm asking about the pregnant worker

18 or the immunocompromised worker. It's not

19 every worker who needs a remote or telework

20 option. I'm asking for those special

21 accommodations where possible.

22 MAYOR ADAMS: I'm sorry, I'm really

23 not -- there's an echo, so I want to be able

24 to answer your question correctly, but I'm

1 not really hearing the question. You know,
2 so if I'm missing the answer, it's because
3 I'm not fully understanding the question. So
4 if somebody can -- you know, there's an echo
5 I'm hearing from you. But I need to get
6 people back to work.

7 CHAIRWOMAN WEINSTEIN: Assemblywoman
8 -- Mr. Mayor, we'll send you the question in
9 writing. But if you could hear me more
10 clearly, the question that we'll look for an
11 answer in writing from you relates to workers
12 that are immune-compromised or pregnant that
13 are more susceptible.

14 MAYOR ADAMS: Okay, I'm sorry, I

15 didn't understand you.

16 Yes, there should be a conversation

17 about those who are immune-compromised or for

18 some other reason. We're open to that. And

19 Tiffany will reach out to your office to hear

20 your ideas around that. I didn't hear that

21 part of the immune-compromised and pregnant.

22 I'm very concerned about those who are

23 immune-compromised, and I think there are

24 ways that we could address them, because they

1 are a small number of people and we should be

2 compassionate around that.

3 And so Tiffany will reach out to you

4 and hear your ideas around that.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 We'll move on to the Senate.

7 CHAIRWOMAN KRUEGER: Thank you. Thank

8 you very much.

9 On to Senator Kevin Thomas.

10 SENATOR THOMAS: Thank you, Chair.

11 And thank you, Mayor, for being here.

12 You have so far testified about a

13 range of serious issues, so I want to shift

14 the focus onto something else. I am a

15 Senator from Long Island and also the first

16 South Asian to be elected to the State

17 Legislature, in 2018. So the next question

18 deals with an issue pushed by my South Asian

19 community for years now with previous

20 New York City administrations.

21 And that issue is making Diwali a

22 school holiday. Diwali is a Festival of

23 Lights and is celebrated by Hindus,

24 Buddhists, Sikhs and Jains. I have school

1 districts out here on Long Island with Diwali
2 as a school holiday. Mr. Mayor, when will
3 you make Diwali a school holiday in New York
4 City?

5 MAYOR ADAMS: Well, first of all, we
6 should never have allowed Long Island to beat
7 us --

8 (Laughter.)

9 MAYOR ADAMS: That is the first
10 mistake. And, you know, we're pushing up
11 against the number of hours that are required
12 to have classrooms -- but I think we could be
13 creative and making sure that we do so.

14 This is a diversified city, and we

15 need to respect all of those important
16 holidays that are significant. It is my goal
17 to have Diwali as a holiday, the Festival of
18 Lights. I fully support it, and we're going
19 to work on this issue. And I'm going to be
20 happy when we do it, and invite you out to
21 some of our Diwali celebrations, because I
22 make many of them throughout the year.

23 SENATOR THOMAS: Thank you, Mayor.

24 Would you be able to do it within your

1 hundred days of your administration?

2 MAYOR ADAMS: I hope we could, but we

3 have to identify -- the chancellor's

4 partnering with us. Again, because we're

5 pushing up with the requirements that are

6 needed for school hours. But we're going to

7 work out a plan, and we're going to get it

8 done, I'm sure of that.

9 And I can't commit if it's going to be

10 done within the first 100 days because my

11 100 days have been equivalent to a dog's

12 life. Every day seems like 14 days. This

13 has been one heck of a run. I had no

14 honeymoon, trust me.

15 SENATOR THOMAS: You know what,

16 Mr. Mayor, I'm going to join with the other

17 Long Island electeds by saying it's a

18 pleasure that we have such a fresh face and a

19 mayor with swagger, as we would like to say

20 it, running the show. All right? Thank you.

21 CHAIRWOMAN KRUEGER: Thank you.

22 Assembly.

23 CHAIRWOMAN WEINSTEIN: We go to

24 Assemblywoman Walker, three minutes.

1 ASSEMBLYWOMAN WALKER: Thank you.

2 Mr. Mayor, are you aware that OCA data

3 shows that there was evidence of inherent

4 institutional discrimination and bias in our

5 court system?

6 Are you also aware that this

7 dangerousness assessment that you are a

8 proponent of involves algorithms which are

9 racially imperfect and that questions

10 housing, employment and education as opposed

11 to a propensity towards dangerousness?

12 Are you aware that guns are still

13 bail-eligible?

14 Are you also aware that in 2019,

15 95 percent of all people were not rearrested
16 on violent felony offenses and, since bail
17 reform, that number rose to 97 percent of the
18 people who were released were not rearrested
19 on violent felony charges?

20 And in fact, are you also aware that
21 New Jersey, which had implemented a
22 dangerousness standard did not result in a
23 different outcome from New York, which has
24 not implemented a dangerousness standard?

1 Whereas 14.4 percent of the people in
2 New Jersey were rearrested on felony
3 offenses, and here only 13.3 percent of the
4 people were rearrested on pretrial felony
5 offenses.

6 And so it is a cautionary tale that we
7 are very cognizant of the Jim Crow remnants
8 of criminal justice in our country.

9 Dangerousness is not a tweak, but it is a
10 wholesale change to our bail system and the
11 way that we've been handling bail in the
12 State of New York.

13 And while I do appreciate your
14 rhetoric and the cards, I do challenge you to

15 a debate with respect to bail reform and the
16 effects that it has been having with respect
17 to an alleged rise in crime in the City of
18 New York, where we are seeing crime on the
19 rise all across the country, even in states
20 where bail reform is not a thing.

21 Thank you, Mr. Mayor. Are you aware
22 of all of the statements and questions that I
23 just enumerated?

24 MAYOR ADAMS: Thanks so much, Latrice.

1 And I commend you for the passion and the
2 caring and the concern you have on this
3 issue. And I commended you on those publicly
4 throughout this entire endeavor. And I
5 talked about you, how you leaned into a very
6 difficult conversation. And I thank you for
7 what you have done. I've seen the
8 actualization of my lifework materialize to
9 this.

10 I didn't start doing this, Latrice.

11 And I don't think you should debate me, you
12 should debate the 11-month-old baby's mother.
13 You should debate the two police officers
14 that we lost. You should debate the people

15 who are watching violence --

16 ASSEMBLYWOMAN WALKER: No --

17 MAYOR ADAMS: -- in your community and

18 throughout this city.

19 ASSEMBLYWOMAN WALKER: -- it's you who

20 are making this a political issue. You don't

21 have to tell me to debate a person who lost

22 an 11-month-old child, because I lost a

23 brother at the age of 19 years old to gun

24 violence. And I want to be safe, and I want

1 to make sure that this city is safe to raise
2 my children as well as all children across
3 the State of New York.

4 But when you are adopting the rhetoric
5 of people who are male, pale and stale in
6 this state to say that racially insinuated
7 criminal justice reform in our country is
8 harming our city, I just think it's wrong.

9 And I think that it is something that we need
10 to discuss as elected officials. And not in
11 six-second bites in the media, but in a forum
12 that will allow for us to debate the issues,
13 to debate the facts and the circumstances so
14 that we can make sure that this country

15 remains one that is safe for all people to
16 live, and not just some who declare that they
17 want to be able to come to New York City for
18 a visit, but for each and every one of us,
19 including those who live in impoverished,
20 disadvantaged and crime-ridden communities.

21 MAYOR ADAMS: Well, I don't think I
22 came here just for a visit or to live, I
23 think I came here as a person who put on that
24 uniform and protected communities, as a

1 person who was arrested and assaulted by
2 police officers, a person who visited many of
3 our state facilities, as a person who pushed
4 the Rockefeller Drug Law, as a person who has
5 been a consistent advocate for this.

6 And so I look forward to an ongoing
7 conversation. And we can disagree, and we
8 don't have to be disagreeable. We
9 philosophically disagree on the impact of
10 this small number of people who are using the
11 bail system to perpetuate violence in
12 communities like yours and mine.

13 And I look forward to this
14 conversation with you because, again, I

15 commend you for what you have done and what

16 we can continue to do to get that balance

17 that you and I both are looking for. Public

18 safety and justice, they must go together.

19 We can't have one without the other. And

20 there's a close correlation between the

21 violence that we're seeing and those small

22 number of people who have slipped through the

23 system with bail reform and Raise the Age.

24 And let's continue to talk about it.

1 I look forward to it. I will be in Albany
 2 one day next week, and I look forward to
 3 sitting down with you to further this
 4 conversation. And I'm not using rhetoric,
 5 sister, you know I don't use rhetoric. You
 6 know my work. We have partnered together on
 7 these issues, and I'm going to consistently
 8 do so.

9 CHAIRWOMAN WEINSTEIN: Thank -- thank
 10 you.

11 ASSEMBLYWOMAN WALKER: Duly noted.

12 Thank you, Mr. Mayor.

13 CHAIRWOMAN WEINSTEIN: We go back to
 14 the Senate.

15 CHAIRWOMAN KRUEGER: Thank you very

16 much.

17 Next we go to Senator George Borrello.

18 SENATOR BORRELLO: Thank you, Madam

19 Chair.

20 And thank you, Mr. Mayor, for being

21 here. You know, in addition to being a

22 Senator, I'm also a former county executive.

23 And I really -- I have a lot of empathy for

24 you because you've taken the position of

1 chief executive officer of a city that's more
2 dangerous than it's been in decades. So I
3 wish you luck, and you're going to need a lot
4 of it.

5 I'm also a restaurant owner, and I'm a
6 member of the New York State Restaurant
7 Association, and I have been in many meetings
8 with New York City restaurant owners who are
9 at their wits' end. They've exhausted their
10 savings, they've seen people flee the city,
11 first from the pandemic and now due to
12 violence. As you mentioned, tourism is down,
13 hotels are empty, office buildings are empty.
14 This is a very difficult time for the

15 hospitality industry, which has been probably
16 the most impacted industry as a result of the
17 pandemic and just the general climate here in
18 New York State right now.

19 And so my question to you is with the
20 proposal that our former governor and former
21 mayor had of taking empty office buildings
22 and empty hotels and turning them into public
23 housing, how that might impact the ability to
24 bring people back to New York City, and the

1 unfair mandates that have really been visited
2 most heavily on the hospitality industry.

3 You know, we have to have a vaccine card to
4 walk into a restaurant and sit down and have
5 a meal, but yet you can ride the subway
6 without one and you can walk into a
7 department store without one.

8 So how are you going to address the
9 fact that this industry has been devastated
10 and, despite all the federal funds to prop
11 them up, which have now been exhausted, this
12 industry is still in crisis and will
13 likely -- and it is certainly the backbone of
14 the experience of being in New York City, is

15 being able to go into a restaurant, a fine
16 hotel, a hospitality experience. How do you
17 plan to help this industry recover?

18 MAYOR ADAMS: Well -- and thank you
19 for that. And I think our restaurants, they
20 are bellwethers to the success of the city.
21 They are really indicative of how well we are
22 doing. The financial stability is attached
23 to it. As I indicated, low-wage employees
24 are in the restaurants. I was a former

1 dishwasher, and I know how important it is to
2 be employed in our restaurants.

3 So number one, we need to stop making

4 business unfriendly to the city. The

5 bureaucracy that's attached to just getting

6 your lights and gas turned on in a

7 restaurant, to get an inspection, to get a

8 CFO -- all of these things are in the way of

9 our restaurants. The lack of clarity in our

10 businesses. One inspector comes in and gives

11 you one indicator of what you need, and

12 another will come in and give you something

13 totally different.

14 So we need to turn our city agencies

15 into a place where we will continue to make
16 our restaurants and other small businesses a
17 safe place. But we want to build on what SBS
18 has done over the past year. You know,
19 \$50 million in rental assistance, \$50 million
20 in grant funding for low-income communities,
21 low-interest loans and more.

22 But when you do an analysis, when I
23 speak to my small businesses and restaurants,
24 they say: Eric, we need agencies to stop

1 being impediments to getting our doors open
2 and placing people in the seats. On Sunday I
3 sat down with Councilwoman Velázquez and
4 other councilmembers in the Bronx, and we
5 talked about even the outdoor seating
6 arrangements. That was a lifeline to my
7 restaurants. We're going to do it better,
8 we're going to reexamine it and find ways of
9 ensuring that we infuse money into our small
10 businesses in the city and not get in the way
11 of our small businesses.

12 And so at the height of the pandemic
13 the previous administration repeatedly asked
14 for long-term borrowing authority and bonding

15 authority, but all of this is connected to
16 the things that we can do to make sure that
17 our businesses and small businesses, as we
18 build out and use our capital dollars, those
19 are feeders to small businesses as well.

20 And so I'm with you 100 percent. It's
21 about getting our restaurants and our other
22 businesses up and operating.

23 SENATOR BORRELLO: On behalf of the
24 restaurant industry, best of luck.

1 MAYOR ADAMS: Thank you.

2 CHAIRWOMAN KRUEGER: Thank you.

3 Assembly.

4 CHAIRWOMAN WEINSTEIN: We go to

5 Assemblywoman Kelles, three minutes.

6 ASSEMBLYWOMAN KELLES: Good -- good

7 morning for 15 more minutes, Mayor Adams.

8 I wanted to just first thank you for

9 your focus on nutrition in education. As a

10 researcher in nutrition, that is near and

11 dear to my heart and is very highly

12 correlated with cognitive development, so

13 thank you on that.

14 And I wanted to make one comment and

15 then one question, particularly about bail
16 reform. As a scientist, and particularly an
17 epidemiologist, it's so important to figure
18 out causality. Although I totally agree with
19 the focus on decreasing violence and gun
20 violence, the question is whether or not bail
21 reform is causally related to the increase
22 that we're seeing.

23 So I just wanted to note a few things:

24 That gun charges remain bail-eligible under

1 New York's bail reform law, meaning that
2 judges can set bail or remand people in these
3 cases. Wanted to note that.

4 And then, furthermore, OCA's data
5 shows that less than 1 percent of people
6 released pretrial after bail reform were
7 rearrested on new firearms charges. And the
8 uptick in gun violence over the past two
9 years is actually a national trend impacting
10 many cities that have not passed any criminal
11 justice reform. For example, violent crime
12 was higher in Anchorage, Alaska, 11.95 out of
13 100,000. Memphis, Tennessee, 11.07. And it
14 continues.

15 So the question is, if our average
16 increase is less than other states that have
17 not seen bail reform, then is it bail reform
18 that is causally related? And so I would
19 just ask that that be very carefully
20 evaluated: Is that a causal relationship or
21 is it other factors?
22 And then I want to switch gears to a
23 topic that's near and dear to my heart. You
24 spoke earlier about climate change. I deeply

1 appreciate your concerns about the impact of
2 climate change on the city. One of the big
3 issues being discussed at the state level is
4 the impact of cryptocurrency mining on
5 climate change. And in New York State in
6 particular, because of the number of
7 countries that have banned cryptocurrency
8 mining because of its impact on the
9 environment -- China, as you know. Iraq.
10 Russia is exploring it. The EU is exploring
11 it -- and continuously the movement of
12 cryptocurrency mining has happened in
13 New York State. Although you've probably
14 heard I am absolutely interested in the

15 expansion of cryptocurrency, it is unique

16 from cryptocurrency mining, which is

17 exclusive to proof of work.

18 So there is a distinction between that

19 one form of validation, which is the only one

20 that uses a lot of energy. So we do have a

21 bill that's being explored, my bill, that

22 would give us time, that would create a

23 moratorium simply on proof of work, and only

24 that using fossil fuels, because upstate we

1 are experiencing huge increased consumption
2 because of proof of work affecting our local
3 communities and our environment.

4 So I wanted to just hear from you
5 whether or not you would be in support of a
6 moratorium that would allow us upstate to
7 really address these concerns and understand
8 the impact of proof of work.

9 MAYOR ADAMS: Thank you for that. And
10 let me --

11 CHAIRWOMAN WEINSTEIN: I'm sorry,
12 Mr. Mayor, but since the Assemblywoman used
13 all of the time to ask the question and not
14 leave you any to answer, I want to be fair to

15 you. So if you could -- if you could forward
16 to Senator Liz Krueger and myself, if your
17 office can forward the answers to her
18 question, that would be much appreciated.

19 And we will move on to the Senate.

20 MAYOR ADAMS: Yup.

21 CHAIRWOMAN KRUEGER: Thank you.

22 Next is Senator Michelle Hinchey.

23 SENATOR HINCHEY: Thank you, Chair.

24 And Mayor, it's great to see you.

1 Thank you for being here.

2 MAYOR ADAMS: Thank you.

3 SENATOR HINCHEY: I have two quick
4 questions. My first one -- or two questions,
5 I should say. My first one is you and your
6 administration have prioritized food,
7 specifically healthy food. And I really
8 appreciate that, as the chair of the Senate
9 Agriculture Committee.

10 I ask you -- we know that food also is
11 nutrition. We know it's incredibly important
12 for our students to eat healthy food. We
13 know it's important for everyone across all
14 of our communities, especially in the City of

15 New York, to be eating healthy, locally
16 sourced food. And the best food that we have
17 at our fingertips is grown here in New York.

18 So how can we work with you and your
19 administration to make sure that more locally
20 grown New York State food is coming into city
21 agencies, the school system, as well as just
22 more accessible to the people that you serve?

23 MAYOR ADAMS: Thank you. Thank you so
24 much. And, you know, this is a place out of

1 my own heart. You know how I feel about
2 nutrition. And locally grown nutrition is
3 important, and that's part of the analysis we
4 want to look at. You know, I'm a big
5 advocate on advancing urban agriculture and
6 locally grown food and have more to say on
7 this. We're going to roll that -- a real
8 plan we want to do.

9 But I will say this. Every agency
10 where we feed people, we should not be
11 feeding the crisis. And that's what we're
12 doing right now, in our schools, in our
13 jails, in our hospitals. If we are feeding
14 you, we should feed you food that is not

15 going to feed the chronic disease and
16 healthcare crisis. And that's our goal. And
17 I'm going to have Tiffany reach out to you
18 with our whole food team and hear some of
19 your ideas on what we can do.

20 But we want to do an analysis with our
21 agencies: If you're purchasing food, give me
22 a reason why you're not purchasing it
23 locally.

24 And then it's looking to the urban

1 economy. The urban economy, there's so many
2 jobs out there. If we can do -- we can grow
3 our food locally, even in the city, using
4 hydroponics, vertical farming, other ways of
5 growing food. Other states are leaning into
6 this space. We need to be a leader in this
7 space, and I'm excited about the future on
8 how do we grow locally and how do we purchase
9 locally. Because we can be a stabilizing
10 purchasing procurement power to allow this
11 new science to explore -- to grow even
12 further.

13 SENATOR HINCHEY: Great. I appreciate
14 that, and I look forward to hearing from

15 Tiffany and your team because yes, we -- I'm
16 fully supportive of urban agriculture, but at
17 scale it's really upstate farms that are
18 going to be able to do that.

19 In my last 20 seconds -- I know you
20 won't have time to answer it -- but to follow
21 up with your office to -- I represent
22 communities that surround much of the
23 New York City Watershed, all of the New York
24 City drinking water. And because of that,

1 because this land is pristine because it's
2 protected, New York City does not need a
3 filtration system. If you did, that would be
4 tens of billions of dollars the city would
5 have to spend on a filtration system for that
6 water.

7 However, we have a lot of negative
8 impacts because of what we do to make sure
9 that the city has good, fresh, clean water.

10 That's challenges with turbidity, with our
11 fisheries, with our water sources, as well as
12 stopping us from being able to build housing
13 and other critically important resources.

14 And so I would like to work with you

15 and your office to find some better equity in
16 protecting New York City's water -- which is
17 critically important, and we take that job
18 really seriously -- but also making sure that
19 the communities that then do that have equity
20 and aren't being negatively impacted.

21 MAYOR ADAMS: Thank you.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 We go to Assemblywoman González-Rojas.

24 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank

1 you, Mr. Mayor.

2 I believe strongly that policy should
3 be informed by research and data, and
4 research has shown that pretrial
5 incarceration, by stabilizing and --
6 destabilizing and disrupting people's lives,
7 increases the likelihood of future arrests
8 and ultimately undermines the health and
9 safety of individuals and families and
10 communities.

11 So given this, why have you called for
12 these rollbacks to bail reform that will
13 ultimately lead to the incarceration of more
14 New Yorkers pretrial?

15 And I have one more question after

16 that.

17 MAYOR ADAMS: So I'm glad you asked

18 the question, because it gives me an

19 opportunity over and over again to give

20 clarity to what I am saying.

21 I am not calling for the rollback of

22 bail reform. That is my lifework. I know I

23 did not serve in the Senate when you were

24 there, but my Senators and colleagues would

1 tell you that Eric Adams was the advocate for
2 the bill around the Rockefeller Drug Laws, to
3 stop women from being handcuffed when they
4 were pregnant in prison, the number of cases
5 that I brought to the Senate as a Senator to
6 show how we were inhumane in the criminal
7 justice arena. But they will also tell you
8 something else: Eric was clear that we
9 needed to have public safety.

10 So I'm clear on what the numbers are
11 showing --

12 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: I
13 understand, Mr. Mayor, but you are calling
14 for changes to the system, and I want to

15 understand exactly --

16 MAYOR ADAMS: The small number of

17 people who are dangerous, they must not slip

18 through the reform that we saw. Don't roll

19 back bail reform, don't roll back criminal

20 justice, roll back the areas that's hurting

21 public safety. That is what I am saying.

22 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Okay.

23 I thank you for your work and

24 conversation on healthy food, and I also have

1 some concerns about mayoral control of
2 schools, so this is where it comes together.
3 I appreciate the efforts to offer vegan meals
4 in schools, but as you've seen and know, this
5 is not quite the healthiest meal that I want
6 my child to eat in public school.

7 Can you share how you're going to
8 address and ensure that our children actually
9 eat very healthy food in our schools as we're
10 moving towards more options for vegan young
11 people?

12 MAYOR ADAMS: Thank you for that. And
13 I can't see the exact picture, but I believe
14 that's the picture that was taken -- is that

15 the official DOE picture or is that the

16 picture that someone tweeted out? Which one

17 is that?

18 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: I'm not

19 sure. I think it was shared by a parent.

20 MAYOR ADAMS: Okay. And let me tell

21 you what happened. A child chose food

22 supplies -- in the picture that was tweeted

23 out, they chose their meal for the day and

24 they did not take some of the main stable

1 foods that were present. And so it gave this
2 impression that children were not going to be
3 fed correctly. That is untrue. We have a
4 nutritional obligation to give children a
5 balanced meal.

6 This is what I do know. Seventy
7 percent of 12-year-olds have early signs of
8 heart disease. We have a crisis with
9 childhood obesity, a crisis with childhood
10 diabetes. We are feeding our children into
11 that crisis. We've got to do a better job,
12 and I want to partner with you. If there's
13 some tweaks and changes you want to make,
14 let's do it together. Let's be partners to

15 save our children.

16 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank

17 you very much.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 Back to the Senate.

20 CHAIRWOMAN KRUEGER: Thank you very

21 much. And we are up to the newest Senator,

22 Cordell Cleare.

23 SENATOR CLEARE: Good morning, Mayor.

24 First I want to say thank you for your

1 office being responsive in my district to
2 heating and hot water complaints in two of my
3 housing developments over the last two
4 weekends.

5 I just want to also echo the caution
6 raised by Assemblywomen Walker and Kelles
7 related to bail reform.

8 And then I'm just going to ask a few
9 questions; I hope I leave time for you to
10 answer them.

11 I'm asking that groups like Save East
12 Harlem and Street Corner Resources are
13 included at the table when gun violence is
14 being discussed. These are the groups that

15 are on the ground defusing violence. They
16 are talking and working with people who are
17 at-risk individuals. And they also need
18 additional resources to deal with the issues
19 that those people are dealing with, the
20 underlying conditions to some of the crime
21 and violence that we see happening in the
22 streets.

23 I also want to deal with another
24 public safety issue to me, and it really is

1 serious though it may not sound that way.

2 But increased rats and garbage continue to be

3 a problem in our districts and in our

4 communities. Increase in sanitation pickups

5 and replacement of the garbage cans that were

6 removed by the previous administration are

7 what my constituents are looking for.

8 We would also -- parents are asking

9 for a parent representative from each borough

10 on the PEP. I know that you spoke about

11 mayoral accountability earlier, but parents

12 know best. As a former school board member,

13 as a former CEC member, parent association

14 member, I really would like to see more

15 parent participation and involvement at that

16 level.

17 Affordable housing is not affordable

18 to many in my district. Can you speak about

19 your plans for low-income housing that they

20 can afford?

21 And one of the keys to equity and

22 fairness is economic empowerment. Blacks

23 make up approximately 23 percent of the

24 population in New York City, yet less than

1 3 percent of small businesses are owned by
2 Blacks. Can you speak of your plans to
3 increase the number of businesses and support
4 the many who are struggling?

5 Thank you.

6 MAYOR ADAMS: You gave me a nice
7 laundry list.

8 First of all, it's exciting to see you
9 up there in Albany. Your years of advocacy
10 is -- I think is needed to continue this
11 conversation forward. And I agree with you,
12 the quality-of-life issues such as rats -- I
13 recall a group of parents visiting me with a
14 baby's head, rat bites on them. And we

15 implemented our Rat Trap that is going to be

16 used in parts of the city to look at how we

17 mitigate that real issue.

18 I think it's crucial to deal with the

19 sanitation issue that we're facing. And so

20 what I would do, Assemblywoman {sic}, because

21 you gave me a nice list of -- Tiffany will

22 reach out to you and we'll sit down and go

23 through that list line by line, particularly

24 around the economic opportunities in the

1 city.

2 SENATOR CLEARE: Thank you. Good to

3 see you too, Tiffany.

4 CHAIRWOMAN KRUEGER: Helene.

5 CHAIRWOMAN WEINSTEIN: We're going to

6 go to Assemblywoman Seawright, three minutes.

7 ASSEMBLYWOMAN SEAWRIGHT: Thank you,

8 Chair Weinstein.

9 And Mr. Mayor, it's great to see you

10 again. Thank you.

11 I have two questions. One is more

12 citywide, and one is more centric to the

13 Roosevelt Island portion of my district.

14 First I just want to say I'm honored

15 to have Gracie Mansion in my district on the
16 Upper East Side. We are facing more and more
17 development on the Upper East Side, with the
18 unfortunate approval of the Blood Center
19 expansion by the previous City Council. More
20 people, cars, traffic will be flowing into
21 the neighborhood.

22 How can we reinvigorate the
23 neighborhood yet at the same time help our
24 small businesses that are facing closure?

1 We're seeing more and more crime around our
2 public schools. And every day I'm hearing
3 from constituents walking into the office
4 with issues about affordable housing.

5 And then as far as Roosevelt Island,
6 it's governed by the Roosevelt Island
7 Operating Corporation. As mayor, you have
8 appointments to that board. And for several
9 years now there has been no woman appointed
10 to the Roosevelt Island board. So who is the
11 point person on your team that I could sit
12 down with and meet to review the composition
13 of the board?

14 MAYOR ADAMS: First, I'm going to

15 coordinate with you; Tiffany will call you.

16 Let's take a trip out to Roosevelt Island

17 together -- you know, I'm looking forward to

18 that tram ride; I think it's one of the

19 greatest attractions we have in the city --

20 so we can do a real analysis of the concerns

21 there.

22 And you should reach out to Deputy

23 Mayor Maria Torres-Springer to talk about

24 that board and moving forward with that

1 board. She's a person you should reach out
2 to in the office. Tiffany will coordinate
3 that for you so we can, you know, zero in on
4 the things that you are concerned about.

5 And around development, you know, it's
6 imperative that we have to get our local
7 retail shops back up and operating. I always
8 find it interesting, Assemblywoman, some of
9 the same people who talk about, you know,
10 getting the stores open and the retailers
11 open, they're quick to go to Amazon. They
12 don't know that they're impacting those
13 everyday retail shops.

14 We want to do some shop locally

15 initiatives. We want to get people back in
16 those stores so they can hire. Our retail
17 shops are really dealing with a real crisis.
18 And we -- it's imperative that our New York
19 City economy remains competitive by having
20 these shops opened up and operating. And
21 we're looking forward to partnering with our
22 Committee of Small Businesses we have been
23 meeting with, and we're going to continue to
24 communicate with them and give them the

1 support that they need.

2 ASSEMBLYWOMAN SEAWRIGHT: Thank you,

3 Mr. Mayor.

4 CHAIRWOMAN WEINSTEIN: Back to the

5 Senate.

6 CHAIRWOMAN KRUEGER: Thank you.

7 Senator Brad Hoylman is up next.

8 MAYOR ADAMS: (Inaudible.)

9 SENATOR HOYLMAN: Good morning,

10 Mr. Mayor. Good to see you.

11 A highlight of my daughter's recent

12 young life was when she met you during the

13 campaign and you relayed to her that she was

14 dyslexic but you were too. So thank you for

15 that.

16 MAYOR ADAMS: Thank you.

17 SENATOR HOYLMAN: Mr. Mayor, you

18 recently came out in support of the Penn

19 Station redevelopment project, I think this

20 week, which as you know would not only

21 redevelop Penn Station but also more than

22 five and a half blocks in Midtown Manhattan,

23 build up to 18 million square feet of new

24 development -- basically the size of an

1 additional Hudson Yards smack-dab in the
2 middle of Manhattan.

3 The project, as you know, isn't going
4 through the city's Uniform Land Use Review
5 process, instead going through the state's
6 general project plan, which cuts out a lot of
7 local decision-making. The GPP envisions
8 that it would use a value capture framework,
9 including payments in lieu of taxes, which
10 could result in New York City being deprived
11 of up to \$330 million a year in potential
12 property tax revenue.

13 Given the potential financing
14 structure and the hit that might be to your

15 finances, the city's finances, do you agree
16 that we should have an assessment analyzing
17 the potential impact on the project -- of the
18 project on the city's finances before the
19 state proceeds any further?

20 MAYOR ADAMS: Well, thanks, Brad.

21 First, I want to be clear: We support
22 the concept of the plan. But we should
23 continue to explore the potential amendments
24 that are needed. We support the concept of

1 the plan. There's a great opportunity there,
2 but we must get it right. If we don't get it
3 right, as you just pointed out, we could lose
4 the benefits for our city.

5 So the concept of the plan we support,
6 but let's make sure we get it right.

7 Jacques, do you want to add anything
8 to that?

9 NYC BUDGET DIRECTOR JIHA: Yeah.

10 We'll proceed with a cost-benefit analysis to
11 see whether or not the project is worth, you
12 know, while for the city to pursue. So we'll
13 continue to make adjustments to it, like the
14 mayor said, and discuss with the state and,

15 you know, in order to protect the revenue

16 base of the city.

17 SENATOR HOYLMAN: Thank you. And --

18 MAYOR ADAMS: The City -- the City

19 Planning Commission made some great points,

20 and we're going to, you know, take all of

21 this into view as we move forward.

22 I thank you for raising that.

23 SENATOR HOYLMAN: Thank you, sir.

24 And the last point I would make is --

1 in my remaining seconds is that right now the
2 plan envisions only 539 units of new
3 affordable housing. That's across five and a
4 half blocks. This is a great opportunity, I
5 think you'd agree, to build much more
6 affordable and supportive housing.

7 MAYOR ADAMS: Well, I couldn't have
8 said it better. If we want to deal with
9 underlying causes, we need to diversify where
10 people live. If we want to give people great
11 access to schools, let's diversify housing.
12 Great access to healthy food, let's diversify
13 housing.

14 Housing is the diversification we need

15 to stop a city that's segregated and that we
16 are not allowing everyone to benefit from
17 great transportation, food, education. So
18 I'm with you 100 percent, and Tiffany will do
19 a follow-up so that we can further discuss
20 it. And I look forward to discussing it with
21 you.

22 SENATOR HOYLMAN: Thank you,

23 Mr. Mayor.

24 CHAIRWOMAN WEINSTEIN: Some while ago

1 we were joined by Assemblyman Pretlow,
2 Assemblywoman Clark, and Assemblyman Burgos.

3 And we go to Assemblyman Sayegh for
4 three minutes.

5 ASSEMBLYMAN SAYEGH: Thank you very
6 much, Madam Chair.

7 Mayor, I wanted to congratulate you
8 and really compliment you on addressing what
9 are key issues impacting not only New York
10 City but the state. And I represent the City
11 of Yonkers, which is your neighbor to the
12 north, so a lot of the similarities that
13 impact New York City impact urban settings in
14 cities like Yonkers, New York.

15 Your focus on crime reduction, on
16 education, healthcare, and small businesses
17 is really crucial not only to the city but to
18 many communities in Yonkers. So I commend
19 you on that, and I also wanted to express a
20 very important concern.

21 As an Arab American, just following
22 the discussions of Senator Liu, in addition
23 to Black and Latino and people of color,
24 there's a large component of Middle

1 Easterners and others. And having been
2 involved with a group called YAMA, Yemeni
3 American Merchants Association, they -- to my
4 surprise, they represent nearly 5,000 small
5 businesses -- grocery stores, stationery
6 stores -- and during the pandemic played a
7 very -- a crucial role.

8 We circulated a letter of support that
9 allows this association and its
10 businesspeople that have been impacted by
11 crime -- and in many cases murder -- to
12 receive funding that would allow them to have
13 special cameras within their stores and
14 outside their stores so that they can -- law

15 enforcement officials can help detect and

16 resolve and investigate potential crime.

17 I hope that the administration looks

18 at efforts to support these initiatives and

19 really, as you stated earlier, recognize that

20 New York needs to keep New Yorkers in

21 New York, to keep businesses in New York, and

22 to really find common ground where we can

23 address criminal justice in a way that

24 addresses the needs and the concerns of all.

1 Thank you, Mayor.

2 MAYOR ADAMS: Thank you.

3 And first of all, you know, your

4 representation means so much. To be the

5 first person of Jordanian American descent to

6 be elected is crucial. When you talk about

7 YAMA, you're talking about my family. Debbie

8 and Naji, they came to me when we did the

9 first bodega strike when Donald Trump wanted

10 to do the Muslim ban.

11 My long record, even going back

12 through in 2001 and 9/11, of standing with

13 those of Muslim descent, Arab descent, and

14 fighting against the horrific, draconian

15 measures in law enforcement; starting the
16 first Muslim association in the police
17 department. So there's a long record of my
18 collaboration with you, and we're going to
19 continue to do so together. And I look
20 forward to coming up and seeing you and
21 speaking with you and have some great
22 Jordanian coffee that I hear about.

23 ASSEMBLYMAN SAYEGH: Thank you very
24 much, Mayor. Appreciate it.

1 CHAIRWOMAN WEINSTEIN: Back to the
2 Senate.

3 CHAIRWOMAN KRUEGER: Thank you very
4 much.

5 And our next Senator is Senator
6 Gounardes.

7 SENATOR GOUNARDES: Thank you very
8 much, Senator Krueger.

9 Hello, Mayor Adams. Really great to
10 see you at that side of the table.

11 I just first want to really just thank
12 you for your laser focus on a targeted,
13 multiprong approach to tackling gun violence.
14 I think it's really, really important.

15 There's a lot of pieces to that strategy, and
16 we shouldn't let one or two pieces kind of
17 crowd out all of the comprehensive approach
18 that you're laying out with your public
19 safety blueprint. So I want to thank you for
20 that.

21 And I have a couple of quick
22 questions. First and foremost, I want to
23 talk about resiliency, specifically in
24 Southern Brooklyn, our coastal communities.

1 Unfortunately, for the last decade we've seen
2 the impact of flooding from storm surges and
3 rainstorms. But to date the city has really
4 only addressed resiliency as it relates to
5 Manhattan and has left out outer borough
6 neighborhoods all across the city.

7 And so I'd love to hear your thoughts
8 on what the city should be doing to improve
9 resiliency measures, you know, in those
10 communities.

11 MAYOR ADAMS: Thank you for that.

12 And Andrew, you know, I cannot tell
13 you how proud I am of what you have done. As
14 a former staffer in Borough Hall, you just

15 really took the helm in your role as a State
16 Senator and continue to touch on those very
17 important topics, and particularly the one
18 you're speaking on now with resiliency.

19 And I'm going to have Tiffany bring in
20 our entire environmental team, our new head
21 over at DEP and the entire team on this
22 issue, and lay out in Southern Brooklyn some
23 of the things that we want to do in Southern
24 Brooklyn.

1 We should be clear on this, as you
2 stated. When we talk about resiliency,
3 historically we left out Staten Island and we
4 left out Southern Brooklyn, we left out the
5 Rockaways, we left out those issues and areas
6 that were impacted, and we can't continue to
7 do so. And so I agree with you 100 percent.
8 And we have a real outlook of how we're going
9 to use building out our resiliency plan with
10 employment, because that's the combination.
11 Far too often the local residents were not
12 employed at some of the jobs that we want to
13 put in place.
14 And so I think that when you look at

15 the Clean Water and Air and Green Jobs Bond

16 Act, it's an important tool in ensuring the

17 state is able to prioritize sustainability.

18 And this is what we want to do. And so I

19 look forward for our team to sit down and

20 hear some of your ideas as we look towards

21 the future.

22 SENATOR GOUNARDES: Thank you.

23 I have two other quick questions I'll

24 lay out. Number one, in your written

1 testimony you've asked us to give you the
2 city authority to run their own speed camera
3 enforcement program, bus camera lane
4 enforcement program, and to revert home rule
5 back to the city over the city streets. Can
6 you talk about your strategies around street
7 safety?

8 And number two, what other ways can
9 both the state and city be supportive to our
10 city university system? And how can CUNY be
11 leveraged to achieve some of the other goals
12 that your administration is trying to lay
13 out?

14 CHAIRWOMAN KRUEGER: And before you

15 even start to answer, Eric, you'll notice
16 that Senator Gounardes has used up your
17 clock. So we're going to ask you to follow
18 up with him or -- these are both important
19 questions, so to all of us in writing, if
20 your staff could please share that with
21 Helene and I, and we will share it with all
22 of the committee members. Thank you.

23 Assembly.

24 MAYOR ADAMS: Will do. It's a good

1 thing having you as Finance chair, because

2 you watch the money like you watch the clock.

3 CHAIRWOMAN KRUEGER: Damn right.

4 Thank you. Thank you, Mayor Adams.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 So we're going to go to Assemblywoman

7 Hyndman. Is Alicia here?

8 ASSEMBLYWOMAN HYNDMAN: I'm here. I'm

9 here.

10 CHAIRWOMAN WEINSTEIN: Okay, good. I

11 didn't see you.

12 ASSEMBLYWOMAN HYNDMAN: Thank you,

13 Chair Weinstein.

14 Mayor Adams, always good to speak with

15 you. I am wholly invested in the turnaround
16 of our public schools, and I've only known
17 the mayoral control model. And I must say
18 that previous administrations I don't believe
19 were inclusive for parents and community.
20 The turnaround of violence in our schools is
21 not just your responsibility, it's also the
22 parents' and the community's responsibility.

23 But I just wanted to ask you, what is
24 your plan under mayoral accountability of

1 involving parents and community members back
2 into our schools?

3 MAYOR ADAMS: First of all, you know,
4 it was good seeing you last week at the
5 installation. And you're right, you know, we
6 need a safe space for our children. We can't
7 have children stabbed in school, weapons are
8 brought in school. You know, it's just
9 unacceptable.

10 So there's a couple of things we must
11 do. Number one, Senator Comrie pointed to
12 this. I had something called the Extended
13 Use Program as the borough president. We
14 want to make this citywide. What it said is

15 that local community-based organizations that

16 would like to use school spaces should not

17 have to pay to do so. We should be paying

18 for the school safety agents, for the staff

19 that comes in. This way we're allowing

20 people to do their volunteerism.

21 Then you have great crisis management

22 teams -- K. Bain, out in Queensbridge --

23 allowing them to put some of these good

24 programs in place. David Banks, he has been

1 meeting with on-the-ground community groups
2 and organizations, the Rites of Passage
3 Program and teaching our young people how to
4 evolve into adulthood. Having some real
5 programs in those schools -- financial
6 literacy, technology, robotics.

7 We are not using the school buildings
8 correctly. They should be the focal point of
9 the community. A school building is the only
10 place where everyone, no matter what their
11 language barrier may be, where they're
12 comfortable going into. We're not doing
13 that, and I'm going to do that and encourage
14 a better use of our school buildings and be

15 preventive when we deal with this issue.

16 And mayoral accountability is an

17 extension. In 2019, increased parental

18 engagement. And I want to continue to

19 increase parental engagement and hear some of

20 our feedback, Assemblywoman, on what we can

21 do a better job as doing so.

22 ASSEMBLYWOMAN HYNDMAN: Thank you.

23 And I just want to plus-one the previous

24 speaker about resiliency in Southeast Queens.

1 We definitely have a groundwater flooding
2 problem. And as you know, Hurricane Ida did
3 the devastation in Hollis. So we just want
4 to make sure that we work together in making
5 sure those homeowners are made whole.

6 So thank you.

7 (Off the record.)

8 CHAIRWOMAN KRUEGER: Thank you.

9 Our next speaker is Senator Gustavo
10 Rivera.

11 SENATOR RIVERA: Thank you, Madam

12 Chair.

13 Good morning, Mr. Mayor.

14 MAYOR ADAMS: Hey, how you doing,

15 Gustavo?

16 SENATOR RIVERA: Doing all right.

17 Credit where credit is due first, sir.

18 Certainly you have been responsive not only

19 to many offices but certainly to my own. I

20 remember the conversation we had just a few

21 weeks ago when you came to my district --

22 this is after that child was shot in the

23 cheek -- and we had conversations with

24 violence interrupters that were a very

1 important part of it. And we -- and I was
2 certainly very thankful that you came there,
3 and very thankful for some of the discussions
4 that we had privately.

5 Now, certainly what we've seen over
6 the last couple of hours has been the
7 definition of a honeymoon period, and
8 certainly you have earned it. But a couple
9 of things, sir, that I want to make sure that
10 I say.

11 I want to certainly join
12 Assemblymember Walker, Assemblymember Kelles,
13 Assemblymember Mamdani, Assemblyman
14 González-Rojas in their concerns about some

15 of the stances that you have taken. And this

16 is what I would say, sir. I am -- I would

17 implore you to proceed with caution. And

18 when I say that, it is certainly recognizing

19 that as you have reminded us many, many

20 times, you certainly have been an advocate on

21 issues of criminal justice when you were up

22 here. We served together, but you were here

23 before me. And certainly these are all facts

24 that you point to.

1 This does not, however, sir, excuse
2 you from what some folks have done to use
3 some of your statements in their efforts to
4 fearmonger. Because it is a reality that as
5 far as discretion is concerned, there are
6 many instances in which judges already have
7 discretion and they have not used it.

8 We also -- and you know this, as
9 somebody who has been an advocate. The
10 reason that you fought to change some of
11 these laws is that you recognized that laws
12 are not color-blind and that when you, for
13 example, talk about dangerousness, the
14 issue -- the reason why many of us are so

15 concerned is because, as you yourself

16 hopefully would recognize, when you create a

17 piece of legislation language that seems

18 color-blind, history has taught us that that

19 is not the way that it is utilized. So we

20 have to be exceedingly careful as we

21 establish any of these patterns.

22 I would also, sir, ask you to

23 consider, when you're talking about exploited

24 youth, it was a little bit concerning to me

1 when you both recognized that -- we were
2 talking about the potential changes to Raise
3 the Age -- you want to change the age, raise
4 the age pattern, what we did. While you
5 recognize that some of these kids are
6 exploited, and yet you do not actually
7 recognize that we should focus on that
8 exploitation as opposed to just putting them
9 through a criminal justice process.

10 Just -- I have 27 seconds. This is
11 more -- the question is a longer one, and
12 this is all that I would ask you to do.
13 Please, sir, be very cautious. Because the
14 process that we will undergo for the next

15 couple of weeks and months has to be
16 ultimately about public safety: Communities
17 are safer when they have more resources, not
18 when they're overpoliced. And these laws'
19 changes that you seem to be supporting a
20 change back to are not going to make us
21 safer.

22 Thank you for your time.

23 MAYOR ADAMS: Thank you.

24 CHAIRWOMAN WEINSTEIN: Thank you.

1 We go to Assemblyman Otis, three

2 minutes.

3 ASSEMBLYMAN OTIS: Thank you.

4 Mr. Mayor, congratulations and good

5 luck in your tenure.

6 I want to follow up on the

7 cryptocurrency question that you got a little

8 earlier, and an issue certainly a lot of us

9 are involved in, which is that there are

10 multiple forms of cryptocurrency

11 authentication. There is one form, proof of

12 work, that uses about a hundred times as much

13 energy as the other forms, and is causing

14 community problems upstate, water quality,

15 air quality problems for upstate communities.

16 And the real threat is to our ability

17 to beat climate change. And we're not going

18 to meet our targets if we have this new

19 energy source when there are reasonable

20 alternatives.

21 So I think what I would ask is if you

22 would sit down with some of the New York

23 City-based advocates on this issue and walk

24 through some of the differences in terms of

1 types of cryptocurrency. Cryptocurrency is a
2 great opportunity, economic opportunity for
3 the state and beyond, but there's one method
4 that really causes problems statewide,
5 nationwide, and internationally.

6 So any comments? But we'd be happy to
7 set up a dialogue to get into these impacts
8 more closely with you and your team.

9 MAYOR ADAMS: Thank you so much.

10 And clarity is important, because the
11 lack of clarity brings a feeling of
12 uncertainty. And I want to be clear as much
13 as possible. I support cryptocurrency, not
14 crypto mining. And I think it's imperative

15 that the lawmakers, you know, compel that we
16 move forward to do the duality of ensuring
17 innovation but not hurting our environment at
18 the same time.

19 And we can do so. Because remember,
20 we used to run cars on leaded gas. And when
21 we went to the auto industry and said,
22 Listen, that game is over, they pushed back.
23 But we compelled them to move to unleaded.

24 And then we said it's time for us to

1 go to electric cars, and we compelled them to
2 go to electric cars. That is what evolution
3 is about. We cannot be afraid of evolution.
4 My goal is to make New York City the
5 innovation capital, where our young people
6 can be employed in these new industries that
7 are growing around us, and then use the right
8 laws to make sure they don't abuse the
9 economy or abuse our environment.
10 And so we're really looking forward to
11 sitting down, speaking with some of the
12 leaders in this industry. And because
13 nothing gave me a greater joy when I walked
14 into Marcy Housing and a young person said to

15 me, "Hey, I heard you're taking your paycheck

16 in cryptocurrencies. Can I do the same?"

17 This is how we excite growth, by using

18 my bully pulpit to talk about innovation that

19 has historically been ignored in the inner

20 cities of our state, not only New York City.

21 ASSEMBLYMAN OTIS: Thank you,

22 Mr. Mayor. We'll work with you.

23 CHAIRWOMAN KRUEGER: Thank you, back

24 to the Senate.

1 Senator Sue Serino.

2 SENATOR SERINO: Thank you so much,

3 Madam Chair.

4 And thank you, Mayor Adams, for being

5 here today.

6 I would just like to really say thank

7 you. Thank you for your advocacy for giving

8 judges the ability to consider dangerousness

9 as a tweak to bail reform. You know, I've

10 carried a bill since 2019 after hearing how

11 dangerous the bail reform changes could be

12 for victims of domestic violence. And that

13 actually came from the domestic violence

14 advocates.

15 We had a press conference when all of
16 this first happened, and this was not an R or
17 a D thing. There were Democratic DAs,
18 Democratic law enforcement and victims at our
19 press conference. And sadly, it's turned
20 into this, you know, at the risk of public
21 safety.

22 But I encourage you to take a look at
23 my bill, which is Senate Bill 6947.

24 My question for you today, Mayor, is

1 there a model, maybe from another state, that
2 fairly considers dangerousness that you would
3 like to see New York consider? You know, for
4 example, New York has a risk assessment tool
5 that they use. And I just really wanted to
6 get your thoughts on this since you're
7 somebody that had skin in the game for so
8 many years, and I just would like to hear
9 your thoughts.

10 MAYOR ADAMS: Thank you for that
11 question. Because I think that's something
12 that many people overlook when we talk about
13 considering dangerousness, domestic violence
14 victims.

15 The number of cases that a person was
16 in jail for domestic violence only to leave
17 the courtroom and go further assault or kill
18 the person who was the original
19 complainant -- we often overlook that. And
20 we need to be clear that looking at
21 dangerousness is more than just gun crimes.
22 It's looking at those who continue to
23 perpetrate or continue to carry out dangerous
24 actions. You can't walk out of a courtroom

1 and -- say in a courtroom that I'm going back
2 and commit a hate crime, and then we just let
3 you just walk out of the courtroom.

4 So we need to really understand the
5 fullness and the scope of a judge having
6 someone in front of them making sure that
7 person is dangerous with an imminent
8 dangerousness to society. We need to take it
9 into consideration. And that's what I talk
10 about when we do so.

11 But there must be transparency to make
12 sure a judge is not abusing that authority to
13 evaluate dangerousness. And so we're going
14 to look at all models.

15 And that's what our criminal justice
16 team is doing. My deputy mayor of public
17 safety is doing a real analysis to see who
18 has it right. But again, we're not looking
19 to reform my lifework that has been
20 materialized in Albany. We're looking to
21 make sure that balance of justice is safety.

22 And that's the tweak that we talk about.

23 SENATOR SERINO: Thank you so much for
24 your very thoughtful comments. I really

1 appreciate it. I look forward to working

2 with you on this. Thank you.

3 MAYOR ADAMS: Thank you.

4 CHAIRWOMAN KRUEGER: Thank you.

5 Back to the Assembly.

6 CHAIRWOMAN WEINSTEIN: Yes, we go to

7 Assemblyman Burgos.

8 ASSEMBLYMAN BURGOS: Thank you, Chair.

9 Good afternoon, Mr. Mayor. Thanks for

10 being here today.

11 MAYOR ADAMS: Kenny, how are you?

12 ASSEMBLYMAN BURGOS: I'm good. How

13 are you doing?

14 MAYOR ADAMS: Good.

15 ASSEMBLYMAN BURGOS: Well, I'll start
16 off -- I won't spend the three minutes on
17 bail reform. I just want to echo and support
18 what many of my colleagues have stated. I
19 think I cannot put it better than my
20 colleague Latrice Walker.
21 But I do look forward to a more
22 fruitful conversation on how to combat gun
23 violence, you know, through city, through
24 state and through federal legislation.

1 Specifically I think, you know, Congress's
2 bill on background checks and gun trafficking
3 are going to help combat this, because it's a
4 problem nationwide. So I do want to echo
5 that support.

6 I want to compliment you, Mr. Mayor,
7 on your commitment to health. You know, I
8 represent an area of the Bronx -- and we know
9 the Bronx is the 62nd unhealthiest county out
10 of 62 counties in this state. And I'm a big
11 believer that health is a precondition to
12 all -- to many of our issues here in our
13 borough. So consider me a partner in that,
14 and I look forward to working with you there.

15 What I want to spend my time here on,
16 my question is on NYCHA. I represent over a
17 dozen NYCHAs, every kind of development you
18 can think of. And I have a building right
19 now, a senior building that is on the brink
20 of being condemned. And this is just the tip
21 of the iceberg. I have developments with
22 external boilers for over a decade. And this
23 winter season seems to be the worst, because
24 these issues have gone unattended and frankly

1 mismanaged.

2 And I don't blame you for the failures
3 of NYCHA because you obviously inherited much
4 of this. But what I do want to hear from you
5 is how you plan to work on this management
6 issue. I have -- I spend much of my day
7 sending -- taking numbers, complaints, and
8 just trying to help my constituents have a
9 livable home. And I'll be very honest with
10 you, a lot of this falls on the management
11 team at these specific developments. So I
12 need to hear from you how we plan to combat
13 these issues at NYCHA, that we need capital
14 dollars but we need the right management.

15 MAYOR ADAMS: Well said.

16 And first of all -- and I agree with

17 you on -- listen, Latrice is a friend, I have

18 much respect. And people shouldn't take the

19 passion that she showed as that there's not a

20 real relationship here. What she has done in

21 Brownsville is just commendable. And that is

22 my friend. And I look forward to speaking

23 with you and others. I'll be up in Albany

24 next week, and we could sit down and further

1 have this conversation.

2 And I agree with you on health.

3 Listen, brother, you're the only cat I know

4 that looks better in a suit than I do, man.

5 You are -- you know, you believe in health,

6 you stay in shape. And we need to make sure

7 all of our children are doing the same thing.

8 Lastly, on NYCHA. NYCHA's sad. NYCHA

9 is operating in this black, dark hole. No

10 one knows what's going on. We need to know

11 the dollars that are being spent, allocated.

12 When the Build Back Better bill is passed and

13 we get billions of dollars coming to NYCHA,

14 if we put it back in the same mechanism and

15 management style, we're going to waste this

16 opportunity.

17 I am dead on with you: We've got to

18 zero in on NYCHA. Tiffany's going to reach

19 out to you while I'm up in Albany. I want to

20 sit down and speak with you, and let's figure

21 out the things we need to do together.

22 ASSEMBLYMAN BURGOS: Thank you.

23 CHAIRWOMAN KRUEGER: Thank you.

24 Next we have Robert Jackson.

1 SENATOR JACKSON: Mayor Adams, let me
2 just say to everyone listening, I tested
3 COVID-19 this morning and I drove all the way
4 home listening to the testimony coming in,
5 and now I'm back at my home so I can ask my
6 question.

7 UFT said on the record that New York
8 City DOE is not in compliance with their
9 contract regarding class size. When asked
10 what changes K-12 parents would like to see
11 in their children's school, smaller class
12 size came as number one, the top priority,
13 every year that DOE has surveyed.

14 Do you have a plan to ensure that

15 New York City students receive smaller
16 classes? And are you planning to work with
17 the state to use your funds and additional
18 funds under the Contract for Excellence
19 towards this goal?

20 MAYOR ADAMS: Listen, you hear it over
21 and over, Robert. And, you know, you're dead
22 on.

23 First of all, all the parents -- you
24 know, it's a lesson that many of us don't

1 know. All the parents need to know what

2 you've done around Campaign for Fiscal

3 Equity. This was your fight.

4 SENATOR JACKSON: It was our fight.

5 MAYOR ADAMS: And getting that money

6 in our schools was imperative. And so we do

7 want smaller class sizes. It ranks

8 number one year after year. I hear it with

9 educators as well, smaller class sizes.

10 But we have to do it right. A bill

11 that was going to come through the City

12 Council to talk about smaller class sizes was

13 just not going to be economically feasible at

14 the time. Let's find the right way to do it

15 to get the smaller class sizes that we

16 deserve.

17 But let's be clear on this also, and

18 I'm sure you will agree. No matter how small

19 the class sizes are, if we don't have the

20 right resources and the right, trained

21 educators and the right finances in our

22 schools, we're not going to hit the targets

23 that we need. And that's my goal, to do so.

24 And we're going to analyze the class sizes --

1 SENATOR JACKSON: And I totally agree
2 with you. I just got to -- I have to move to
3 my second question because I'm limited with
4 time.

5 So as in every industry there are good
6 cops and there are bad ones. The same goes
7 for elected public officials. New York City
8 has only limited the defense of qualified
9 immunity for the NYPD in cases of
10 Fourth Amendment violations, unreasonable
11 search and seizure.

12 I carry a bill that people -- to hold
13 people accountable when they violate a
14 person's civil rights. And do you believe

15 that police officers should be held
16 accountable for their misconduct when they
17 violate the civil rights of a person, not
18 just the Fourth Amendment? And do you
19 believe that qualified immunity should still
20 exist, seeing how it is a judicially made
21 doctrine that prevents any accountability for
22 misconduct?

23 MAYOR ADAMS: So let's peel it in
24 pieces so we don't put it together.

1 SENATOR JACKSON: Okay.

2 MAYOR ADAMS: One, violation of civil

3 rights, I say yes to that.

4 Two, police officers who are carrying

5 out their jobs, such as going after someone

6 that robs a bank, they discharge their

7 weapon, the bullet hits an innocent person.

8 That police officer should not be sued for

9 that. They were carrying out their jobs

10 acting in accordance with their duties.

11 Those who are not acting in accordance

12 with their duties, that's an entirely

13 different conversation. And we need to be

14 very careful when we lay that out that we're

15 not doing it to penalize those who are doing

16 their jobs.

17 SENATOR JACKSON: Thank you. My time

18 is up. I do have some additional questions,

19 and I'll follow up.

20 CHAIRWOMAN KRUEGER: Thank you. Feel

21 better, Robert. Thank you.

22 MAYOR ADAMS: Thank you.

23 SENATOR JACKSON: Thank you.

24 CHAIRWOMAN KRUEGER: Assembly.

1 CHAIRWOMAN WEINSTEIN: I think it's up
2 to me. We have no other Assemblymembers, and
3 we're not going to open up the list any
4 further.

5 So Mayor, so it's great to see you
6 here with us, and so many of the questions
7 relating to the fiscal situation of the city
8 and state have been asked. I want to just
9 raise a few questions that are a little bit
10 more local.

11 And I guess I would start with one of
12 the problems that under the prior
13 administration we had in some instances was a
14 lack of community notification when

15 facilities were coming into our districts,
16 both to the community and to elected
17 officials. And I would point out one
18 instance was where a hotel -- and I say
19 "hotel" in air quotes -- was opened and then
20 immediately was populated with people -- sex
21 offenders who were just released from prison
22 and others released from prison through the
23 Mayor's Office of Criminal Justice contract.
24 And we only found out about it when people

1 looked in the Sex Offender Registry and saw
2 that they were offenders listed there, along
3 with Councilwoman Farah Louis, we were able
4 to get the city, after months, to rescind
5 that contract.

6 But I think it points out the need for
7 better communications when there are
8 facilities opening in members' districts.

9 Let me just go through a couple of
10 short things, and then if there's time left
11 you can respond. I'm sure there will be.

12 I just want to echo some of the
13 comments members made about the importance of
14 trying to fix NYCHA.

15 And I represent, I think as you know,
16 a number of city -- a large number of city
17 retirees. And I know that you released a
18 statement on Sunday saying that your
19 administration has reviewed this movement to
20 managed care for retirees. But I would just
21 ask you to really re-look at defending this
22 move. I know there's a court date at the end
23 of this month, on the 28th. And while it may
24 be in the interests of taxpayers in terms of

1 saving some money, I don't believe it's in
2 the best interests of retirees because
3 particularly a lot of our older retirees who
4 can't -- or are on low pensions can't afford
5 the \$2300 a year to opt out. And under this
6 managed care I've been hearing from people
7 that they need preauthorization for just
8 about every procedure.

9 So if you want to respond to some of
10 those. And I guess I just also want to say
11 it's great to see you where you are. I know
12 you've been such a strong advocate as borough
13 president; I stood with you many times
14 fighting hate crime. And I really look

15 forward to working with you in this new role.

16 MAYOR ADAMS: Thank you so much. And

17 I'm really excited about doing the same,

18 Assemblywoman, working with many of you.

19 Many of you I know personally, you have been

20 fighting these important issues for a long

21 time. And this is our opportunity to align

22 ourselves together.

23 Dealing with, number one, the retirees

24 issues. You know, I'm a retired guy. And I

1 was fearful when I heard about the first
2 proposal, and I immediately reached out to
3 some of the union heads to find out what was
4 going on. And when they had us sit down and
5 we did a very thorough and careful review.

6 This administration, I believe the new
7 program would be in the best interests of the
8 retirees and the city taxpayers. We stand to
9 save -- think about it -- \$600 million
10 annually. And the quality of care -- and I
11 made them go through it line by line, to make
12 sure we were not hurting our retirees in any
13 way.

14 And my goal, what I must do now is to

15 give a clear understanding and explanation to
16 our retirees to see how this is not going to
17 impact their quality of care. And -- because
18 that's the quality of my care. And I believe
19 once they hear it, they will not go by just
20 some of the sound bites that were put out
21 there, to feel as though they're going to
22 lose their retirees.

23 We have a real crisis with our
24 healthcare system, and I'm going to need your

1 help around this. The amount that our
2 hospitals are charging for procedures, we
3 have to rein this under control. Union heads
4 are going in, negotiating pay increases for
5 their members only to lose it based on
6 medical procedures. You could go to
7 different medical procedures and get a
8 different outcome based on what hospital you
9 go to. We must really rein in the problems
10 of the cost of healthcare in our city.

11 In the area of the reentry hotels, the
12 reentry hotels were opened as a temporary
13 response to COVID. We had to deal with
14 placing people in housing to stop the spread

15 of COVID. It was a public health emergency.

16 And we're going to always strive to do the

17 notifications properly.

18 And I want to hear your thoughts on

19 how we could do it better, because many

20 people -- my local electeds talked about this

21 notification problem. And so Tiffany's going

22 to reach out, when I get up to Albany. You

23 know, just think of some ways we can do a

24 better job in doing so. Because we want a

1 partnership in doing so.

2 CHAIRWOMAN WEINSTEIN: Thank you. I

3 look forward to having those conversations

4 and a long working relationship with you.

5 Back to the Senate.

6 CHAIRWOMAN KRUEGER: Thank you.

7 Senator Salazar.

8 SENATOR SALAZAR: Thank you.

9 Good afternoon, Mr. Mayor. Thank you

10 for spending time in Bushwick this week.

11 I have a lot of questions, but I will

12 save them for another time. I'll focus on

13 the Executive Budget in our city.

14 The creation and preservation of truly

15 affordable housing is very important to me,
16 but the 421-a housing program has really been
17 a massive tax giveaway to corporate
18 landlords. It's seriously lacked
19 accountability, it's failed to deliver on
20 promises both in terms of affordable housing
21 created and quality jobs for union workers.

22 The Executive Budget proposal for
23 485-w is not meaningfully different from the
24 existing 421-a program. Could you perhaps

1 elaborate on potential changes that you would
 2 support to the program outlined in the
 3 Executive Budget, or how we could justify
 4 continuing a program like this given the
 5 massive homelessness and affordability crisis
 6 that our city is facing?

7 MAYOR ADAMS: A real crisis. And
 8 Senator Salazar, I would like to hear some of
 9 your ideas on this.

10 I am a supporter of the Governor's
 11 plan. I think that we need to do it
 12 strategically. It should not be just a
 13 blanket anywhere. There's certain areas we
 14 need to continue to promote development and

15 do so with affordable housing. If there's
16 some specific areas that you feel that we
17 should, you know, tweak, I am looking forward
18 to having Jessica Katz -- and I would also
19 like to join that meeting, because you have
20 been an advocate around affordable housing.
21 You know, there's some areas that you and I
22 will disagree on.
23 But listen, I'm clear, when we rolled
24 out our affordable housing stock, I said,

1 Listen, reach out, get a temperature check
2 with Senator Salazar. You have been strong
3 on this. You saw the displacement in your
4 district, and you have been fighting against
5 that. And so I am interested to hear what we
6 need to do differently in this 421-a program.

7 I am a supporter of what the Governor
8 is doing, but I'm open to hearing your
9 thoughts around this issue and making sure
10 that we do it in a fair way.

11 SENATOR SALAZAR: Thank you,
12 Mr. Mayor. I'm looking forward to discussing
13 it further with you.

14 MAYOR ADAMS: Thank you.

15 CHAIRWOMAN KRUEGER: Thank you.

16 I see you do have another hand,

17 Helene, so I go to you.

18 CHAIRWOMAN WEINSTEIN: Yes, to the

19 second round. I was just the last on the

20 first round.

21 The second round, Assemblyman

22 Braunstein, three minutes.

23 ASSEMBLYMAN BRAUNSTEIN: Thank you,

24 Chair Weinstein. And I'm sorry to come back

1 for a second round -- I know it's been
2 long -- but I just have one question that
3 needs clarifying.

4 Mr. Mayor, thank you for your time.

5 So earlier today during the question
6 and answer you had indicated at one point
7 that you had concerns about the Governor's
8 ADU proposal and that you prefer local
9 government control. You indicated that you
10 don't think a one-size-fits-all approach
11 works for the City of New York.

12 And then later, again, you said that
13 you wholeheartedly support the Governor's ADU
14 proposal.

15 You know, for me, I represent
16 Northeast Queens, where we have a lot of
17 single-family homes, and my preference would
18 be for the local government to have input on
19 whether or not we legalize ADUs or -- which
20 includes basements, garages, building
21 structures on people's property four feet up
22 to the property line.

23 I have concerns about that. A lot of
24 the other local governments in the state have

1 concerns about that. I'm just looking to
2 clarify. So do you support the Governor's
3 ADU proposal that completely cuts out local
4 control? Or do you support the Governor's
5 proposal, you know, in theory that we'd like
6 to do something to legalize existing basement
7 apartments and address the issues that we saw
8 with Ida with the flooding, but not
9 completely cut the city out of the land use
10 process?

11 MAYOR ADAMS: My apologies if there
12 was a lack of clarity.

13 I support conceptually what the
14 Governor is attempting to do. But, you know,

15 we always say this in Albany, the devil is in
16 the details. It's imperative, for me, to
17 empower the local municipalities to be able
18 to deal with those issues that are uniquely
19 impacting their communities. And I think
20 there's room to sit down and get this right,
21 as we should get it right.

22 So conceptually, I'm on board with
23 what the Governor's attempting to do, but we
24 need to empower local municipalities to

1 understand the uniqueness of their
2 communities.

3 ASSEMBLYMAN BRAUNSTEIN: Okay, thank
4 you.

5 MAYOR ADAMS: Thank you.

6 CHAIRWOMAN WEINSTEIN: Back, Senator
7 Krueger, to you.

8 CHAIRWOMAN KRUEGER: Thank you.

9 I think I'm closing, Mayor Adams, for
10 the Senate. Nice to see you back up here in
11 Albany. It's been a while.

12 So you and I don't always agree on
13 everything, and that's what makes horse
14 racing. I just want to urge you to think

15 about when you talk about the crisis of crime
16 in the city and the violence with guns --
17 which is very real -- there's also the danger
18 that perception becomes reality. Because I
19 just want to say it out loud: You're the
20 mayor of one of the safest cities in the
21 world.

22 And so even though we have problems,
23 we want to make it clear, we're one of the
24 safest cities in the world.

1 My community wants community policing
2 desperately. They keep saying to me, why
3 don't we see the police on the streets? We
4 are seeing crimes, we're seeing crimes that
5 we don't think would be there if we saw more
6 police on the streets. So can I ask you
7 where you are on the philosophy of community
8 policing.

9 MAYOR ADAMS: Thank you for that, Liz.
10 And one thing I enjoy about my interaction
11 with you throughout the years, even when we
12 disagree, we're not disagreeable. We're able
13 to have great conversations and stand on
14 issues that we align.

15 I am a strong believer in community

16 policing. And this is one way of getting

17 there, civilianizing the department. Too

18 many officers are in civilian positions in

19 our police department. We need to

20 civilianize that.

21 Second, we need to look at how do we

22 have New York City residents become police

23 officers. I'm looking at my school safety

24 agents, traffic enforcement agents,

1 correction officers -- all of these entities
2 where they are 100 percent New York City
3 residents, allowing them to cycle into the
4 police department. That is imperative.
5 They're New Yorkers, they would be our
6 residents next door, they live here, our tax
7 dollars will stay here, and that's important.

8 And third, my conversation with the
9 police commissioner: We need to be visible.

10 It's about what we're doing in the transit
11 system, where police officers in the local
12 precinct, they are now doing subway
13 inspections. This has increased visibility
14 in our subway system to show that police

15 officers are doing what you're talking about,

16 and that is what's considered omnipresence.

17 We need the visibility of our symbol of

18 public protection, and we could accomplish

19 that task.

20 CHAIRWOMAN KRUEGER: Thank you.

21 I also don't want to be accused of

22 having a frozen clock without noticing it, so

23 I just -- we do have our eye on the clock. I

24 don't think it's a gift to me per se.

1 You also -- even though it's not
2 budget-related, I know you like
3 cryptocurrency. I just want to urge you, as
4 you move forward, listen to the arguments
5 from the environmental perspective, and you
6 already addressed that. But also please be
7 aware that the Federal Trade Commission says
8 that cryptocurrency scams are now the
9 fastest-growing financial loss for people in
10 this country. And so we have to be extremely
11 careful that we are emphasizing financial
12 education of people, not just jumping to
13 whatever's new, because people can lose their
14 shirts. And they are losing their shirts.

15 So it's just urging you to keep your eye on

16 that set of information out there.

17 MAYOR ADAMS: Yes, and I agree. I

18 agree. And we are looking through that, and

19 we need to move in a very smart way.

20 CHAIRWOMAN KRUEGER: Thank you.

21 We do completely agree that we need to

22 address the issues of the number of mentally

23 ill people acting out on the streets of

24 New York without homes, without healthcare

1 services, without the right kinds of
2 treatment plans. And the solution cannot be
3 throwing them into Rikers and just making
4 everything worse, and it has been. And it
5 also cannot be 24 hours in an emergency room
6 somewhere in New York City, released back
7 into the streets.

8 And I know you agree with me. So tell
9 me what we can do together to change that
10 storyline.

11 MAYOR ADAMS: A couple of things.
12 Liz, it shocked me when I started to examine
13 what do we do when people who are dealing
14 with a mental health crisis and you call

15 police. And when I heard that we take them

16 to Rikers, it just -- it's just unbelievable.

17 To have 48 percent of the prison population

18 dealing with mental health illnesses, that is

19 just a failing revolving door process.

20 I brought on board Dr. Vasan to head

21 my commission of -- Department of Health and

22 Mental Hygiene. You may be familiar; he came

23 from Fountain House. I talked about it all

24 the time on the campaign trail. It's the

1 combination of having mental health
2 professionals giving wraparound services.
3 But we also need your help. We need more
4 psychiatric beds. Those areas where people
5 are a danger to themselves and others, we
6 can't allow them to remain on the streets.
7 We can't allow them to use our subway system
8 as a place where they're receiving their
9 help.

10 We recently launched a city/state
11 partnership to more strategically deploy
12 resources to those with mental health crises.
13 We believe it's going to have a big payoff
14 and turnaround. But your help in ensuring we

15 can get more psychiatric beds will be

16 extremely helpful. And we hope to release a

17 more robust street homelessness and mental

18 health strategy in the next couple of days.

19 We put a good team together. Deputy Mayor

20 Williams-Isom, she understands this. There

21 needs to be compassion and a very thoughtful

22 way of giving those people the help they

23 need.

24 When we closed down mental health

1 facilities, that was commendable, but we did
2 not have the services for those who needed
3 help. And then I want you to look at family
4 members. We have many cases where family
5 members are saying their loved ones are in
6 need of help, but they're restricted on how
7 much they can have them get that help that
8 they deserve. And so it's a combination of
9 things that must come from Albany, and I
10 really need your help in this area.

11 CHAIRWOMAN KRUEGER: Great. And I
12 would like to work with you on that.

13 I will recommend to you that the city
14 has a model called Safe Haven shelters, and I

15 am a fan of that. It is intensive services
16 for people who have been unwilling to come
17 off the streets into other shelters. And I
18 have seen it be very effective for getting
19 some of the folks we really need off the
20 streets into services, to be able to be
21 willing to come in for services.

22 I also think you need to think about
23 requiring hospitals in New York City to have
24 more psychiatric beds available and not just

1 for 24-hour observation. Because nobody in
2 this situation's getting better in 24 hours.

3 MAYOR ADAMS: So true. So true.

4 And we've -- I've partnered with the
5 Nurses Association and stood with them to
6 talk about that as the borough president, and
7 I continue to speak with them about that.
8 And I really want to have Tiffany bring my
9 DSS Commissioner Gary Jenkins together with
10 you and sit down and talk about this.

11 But there's something else you said,
12 if I can, at the beginning of the
13 conversation. You know, Senator Krueger,
14 people often talk about my initiative around

15 ending gun violence and they point to just
16 one area. That's a comprehensive plan.
17 Because you're right, if we don't deal with
18 the feed-ins of violence we're never going to
19 address violence. And we need to highlight
20 the parts of that that I talk about. Let's
21 stop feeding the crises and the violence that
22 we're seeing. Let's not zero in on the one
23 point we disagree, I say to my colleagues
24 that's on here. Let's zero in on the areas

1 we agree.

2 Like this Clean Slate New York

3 campaign. I'm a strong supporter of that.

4 Seven years after a felony, having your

5 record sealed; three years after a

6 misdemeanor, having your record sealed.

7 These are the things that we can do. These

8 are the things I fought for. And I want to

9 be a continuing advocate and partner to make

10 them come to fruition.

11 CHAIRWOMAN KRUEGER: Great.

12 I want to applaud your proposal to

13 expand the EITC credit, because it absolutely

14 has proven to be an effective way to get more

15 money in the pockets of lowest-income working
16 people. And I will explore the proposal for
17 what the state would do, because that was a
18 little vaguer in your testimony.

19 But I also -- because of that, I want
20 to highlight that I hope you'll join many of
21 us in the Legislature in pointing out to the
22 Governor that the concept of a one-time bonus
23 for home care workers is not only inadequate
24 to recruit home care workers that we need,

1 but also can put these people on a cliff
2 where they lose more in SNAP, public
3 assistance benefits, subsidized childcare,
4 even Medicaid, than they would ever see in
5 the \$3,000 bonus. And we even had people
6 say, well, we'll try to make it exempt. But
7 most of those are programs with federal laws.
8 While if you go to a tax credit such as EITC,
9 you can actually make it exempt for these
10 purposes.

11 So I applaud you and hope you'll work
12 with us to fine-tune what I believe was the
13 Governor's good intent but that may not
14 actually have a good result.

15 MAYOR ADAMS: Well said. Well said.

16 And, you know, as you indicated which is so
17 important, you know, that the EITC -- we
18 increase EITC, it won't impact the federal
19 benefits once we get the waiver. It's a plan
20 that's already in place. And people will do
21 the right thing with those dollars. I think
22 you're dead-on about that.

23 CHAIRWOMAN KRUEGER: Thank you.

24 And tax policy. So I disagree with

1 some people from Lower Manhattan, but I think

2 it's way past time to end the Lower Manhattan

3 tax credits. It's actually resulted in a

4 competition between businesses in different

5 areas of the city, because you get a bigger

6 tax credit if you go to Lower Manhattan --

7 which is overheated, frankly, Lower

8 Manhattan, at the cost of other boroughs.

9 So I'm just curious whether you've had

10 a chance to look at that question.

11 MAYOR ADAMS: I'm going to turn it

12 over to Jacques. Jacques, you want to touch

13 on that a minute?

14 NYC BUDGET DIRECTOR JIHA: Well, I

15 don't think we should look at it at -- one at
16 the expense of the other. Lower Manhattan
17 right now is also suffering because of the
18 past two years. So there is still a need to
19 continue to try to bring businesses to
20 Lower Manhattan.

21 Whether we should explore, you know, a
22 credit for other areas of the city, that's a
23 question that we should look into.

24 CHAIRWOMAN KRUEGER: Well, I will just

1 point out there was a recent study showing

2 it's the most unaffordable area of the five

3 boroughs, so suffering is relative.

4 Going to my colleague Julia Salazar's

5 point, I also do not support the Governor's

6 new proposal for redoing 421-a. I believe

7 421-a and J-51 together cost the city over

8 \$2 billion a year in property tax benefits,

9 with very small returns on affordable

10 housing.

11 I am a believer that we should sunset

12 these programs and let the City of New York,

13 you and the Council, come up with models that

14 are not as-of-right but are one-by-one deals

15 that will give you the ability to use this

16 property tax money in the most effective way.

17 It might be for specific deals, it might be

18 for helping you figure out your need to

19 address the unfairness in the current

20 New York City property tax system.

21 I'm just curious whether you think

22 that the city could handle its own property

23 tax revenue if we did away with these credits

24 that we've sort of forced down the throat of

1 New York City for decades.

2 MAYOR ADAMS: Well, you know, Senator

3 Krueger, I've always been impressed with your

4 depth of knowledge around these topics. I

5 look forward to sitting down with you and

6 hearing how we can do it better.

7 I was in awe of you when I was in

8 Albany, and I look forward to your insight on

9 this conversation. And let's follow up on

10 it.

11 CHAIRWOMAN KRUEGER: Great. Maybe

12 Senator Salazar and I will join with your

13 other staff to work on that together.

14 And my time is up, and I believe that

15 closes out the Senate as well.

16 Helene Weinstein.

17 CHAIRWOMAN WEINSTEIN: Yes, and it

18 also -- we have no further questions from the

19 Assembly.

20 I just want to thank Mayor Adams for

21 spending so much time with us. And I know

22 all of the legislators look forward to

23 continuing the discussions both with you and

24 with your staff as we move forward.

1 So thank you, Mr. Mayor, for being
2 here. And again, look forward to continuing
3 conversations.

4 MAYOR ADAMS: Thank you so much.

5 CHAIRWOMAN WEINSTEIN: And with that,
6 I'm going to call up our next witness, who is
7 going to be the mayor of the City of Buffalo,
8 the Honorable Byron W. Brown. Also a former
9 colleague.

10 MAYOR BROWN: I would like to thank
11 the New York State Legislature for this
12 opportunity to testify before the joint
13 legislative budget committee on the impact of
14 the proposed 2022-2023 Executive Budget on

15 the City of Buffalo.

16 As always, Senate Finance Committee

17 Chair Liz Krueger, Assembly Ways and Means

18 Chair Helene Weinstein, Senate Local

19 Government Chair James Gaughran, and

20 Assembly Local Governments Chair Fred Thiele,

21 I'm pleased to come before you today as the

22 mayor of the City of Buffalo on behalf of our

23 more than 278,000 residents.

24 With me today is City of Buffalo

1 Finance Commissioner Donna Estrich and Budget

2 Director Jessica Brown.

3 I'd also like to express my gratitude

4 to our delegation leaders, Assembly Majority

5 Leader Crystal Peoples-Stokes and Senator Tim

6 Kennedy, and the other members of the Western

7 New York delegation who continue to

8 effectively advocate on behalf of the City of

9 Buffalo's residents.

10 Governor Hochul's Executive Budget

11 proposal represents a once-in-a-generation

12 opportunity, in my estimation, to restore the

13 integrity of the neighborhoods through

14 strategic investments in commercial

15 corridors, cultural anchors and affordable
16 housing. By investing in the physical and
17 social infrastructure, the Governor's budget
18 is providing Buffalo and other upstate cities
19 a foundation for a sustainable, equitable and
20 rapid recovery while we emerge from the worst
21 impacts of the COVID-19 pandemic.

22 Last year I spoke before this
23 committee on how Buffalo would respond to the
24 social, racial, and economic crisis the

1 COVID-19 public health emergency posed.
2 Because of the American Rescue Plan Act,
3 Buffalo and New York State have resources to
4 address both the immediate and long-term
5 social determinants of health which caused
6 disparate health and economic outcomes which
7 resulted from and were also highlighted by
8 the pandemic.

9 With the passage and adoption of the
10 federal Infrastructure Investment and
11 Jobs Act, Buffalo and New York State will be
12 able to finally address many of the
13 transportation infrastructure needs which
14 have limited our growth -- and strengthen

15 neighborhoods whose residents have been
16 denied access to the mobility options that
17 will enhance their economic outlook; connect
18 to each other, their school, or their
19 workplace through affordable broadband
20 internet; and foster a cleaner and greener
21 transportation landscape for the future.

22 The Governor's budget highlights how
23 these funds will be used to support
24 initiatives that Buffalo's residents will

1 directly benefit from, and I urge you to
2 support the proposed allocation of those
3 resources during the upcoming negotiations.

4 From these new state budget funds, I
5 would also ask you to consider specific
6 support for Buffalo's Cars Sharing Main
7 Street project, my administration's People's
8 Infrastructure Agenda, the further
9 development of historic corridors necessary
10 to expand our growing cultural tourism
11 industry, and critical investments in our
12 public health sector like the proposed
13 Rashaun Nicole King Community Health and
14 Education Center, which will serve as a

15 conduit for public health outreach and

16 education in the Buffalo area.

17 Buffalo is a city of neighborhoods,

18 and the continued redevelopment of our

19 downtown must coincide with a place-based

20 development strategy that invests in our

21 neighborhoods. That's why the Cars Sharing

22 Main Street remains a priority. Automobile

23 traffic was removed from Main Street over

24 30 years ago to allow for the construction

1 and operation of a light rail system. And
2 while Metro Rail has been a benefit to
3 Buffalo, prohibiting vehicular traffic
4 essentially killed retail in downtown
5 Buffalo, resulting in vacancies, blight, loss
6 in property values, and an impediment to
7 growth in one of our premier retail and
8 entertainment corridors.

9 My administration has focused on
10 realigning the Metro Rail infrastructure so
11 that it truly benefits the entire community
12 by fostering an approach which encourages
13 housing development and multimodal traffic
14 along Main Street. As a result, we have

15 worked to reopen several blocks to vehicular
16 traffic, which has had the effect of
17 stimulating retail, housing, and various
18 mixed-use development while also providing
19 millions of dollars in economic activity and
20 job growth.

21 We are requesting state assistance to
22 continue this project, at a cost of
23 \$100 million. The success of this project is
24 critical to continuing the redevelopment of

1 downtown Buffalo and creating a thriving,
2 vibrant environment to live, work, play and
3 visit.

4 The investments in Main Street must be
5 matched by a cohesive set of investments
6 across our neighborhoods but especially in
7 those neighborhoods which have been subjected
8 to historic disinvestment, like Buffalo's
9 East Side. My administration's People's
10 Infrastructure Agenda will enhance mobility
11 and create more transportation options for
12 Buffalo residents while creating jobs that
13 will be key components of speeding our
14 economic recovery and promoting greater

15 racial equity. The City of Buffalo has
16 identified approximately \$100 million in
17 shovel-ready projects in every neighborhood
18 that will help transform the lives of
19 low-income residents. These projects are
20 critical to improving the mobility of
21 residents, developing place-based economic
22 development strategies that will strengthen
23 commercial corridors in minority communities,
24 and bolster a green transportation revolution

1 that is critical to reducing Buffalo's carbon
2 footprint.

3 The level of CHIPS funding in this
4 year's budget is very helpful, but additional
5 infrastructure investment will be needed for
6 Buffalo to remain economically competitive in
7 the future.

8 Another component to stable and
9 healthy neighborhoods is affordable housing.

10 Specifically, public housing is essential for
11 families, seniors, and disabled people on
12 fixed incomes to avoid homelessness or
13 housing instability. Buffalo's public
14 housing stock is among the oldest in New York

15 State, and much of it is obsolete and in need
16 of repair, maintenance or demolition. A
17 physical needs assessment conducted by an
18 outside contractor in 2020 concluded that
19 more than \$300 million would be needed just
20 to repair and bring up to current standards
21 our existing public housing stock.

22 We request \$350 million to do
23 additional work to address the needs of
24 Buffalo's aging public housing. This funding

1 will enable us to embark on a multiyear plan
2 to modernize our public housing, replacing
3 developments with more modern and
4 energy-efficient units, as well as providing
5 safer, cleaner developments which more
6 appropriately fit into the larger community
7 and position people to be lifted out of
8 poverty. I request New York State allocate
9 funding to protect this vital source of
10 reliable and affordable housing.

11 While the streets, roads, bridges,
12 sidewalks, and utilities identified above are
13 the connective tissue of my city, the
14 cultural institutions in Buffalo are home to

15 its beating heart. Buffalo's rich cultural
16 history, architecture, musical venues, and
17 public green spaces date back to over a
18 century and a half, and preserving them is
19 critical to ensuring our vibrant future.

20 However, it is time to finally
21 recognize that our cultural offerings leave
22 out important figures in our history,
23 individuals who were almost forgotten because
24 of the color of their skin, their gender, or

1 the place that they originally came from.

2 Buffalo's cultural institutions must

3 represent the diversity of our residents and

4 the heritage all of our communities have

5 offered. It is through an inclusive approach

6 to the arts that we can connect with each

7 other and celebrate a shared vision for

8 Buffalo's brighter future. I urge the

9 Legislature to ensure that investments in

10 Buffalo's cultural institutions reflect our

11 Black and Hispanic as well as New American

12 communities, while also supporting the

13 institutions that have helped make Buffalo a

14 cradle for artistic expression across the

15 nation.

16 It looks like I'm out of time, so I

17 will end there. Thank you very much.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 Thank you, Mr. Mayor.

20 We'll go to Assemblyman Jon Rivera for

21 three minutes.

22 ASSEMBLYMAN RIVERA: Good morning.

23 Can you hear me? Well, good afternoon.

24 Good?

1 MAYOR BROWN: Yes, I can hear you,

2 Assemblyman.

3 ASSEMBLYMAN RIVERA: How you doing,

4 Mayor?

5 MAYOR BROWN: Doing well, thank you.

6 ASSEMBLYMAN RIVERA: Good. Good. So

7 just two or three things related to the

8 Executive's proposed budget.

9 And I guess even before that, it's

10 good that you mentioned public housing and

11 the problems that we're having there. And I

12 really, really am eager to work with you in

13 any way I can to, one, find resources but,

14 two, also bring more attention to the nature

15 of our aging housing stock, especially when
16 it comes to our public housing. Here in the
17 state we talk a lot about the very legitimate
18 issues with NYCHA in the city, and I would
19 love to, you know, bring attention across
20 upstate cities that have housing authorities
21 that are really struggling. So it's great
22 that you mentioned that.

23 The question that I had was after a
24 long time of population decrease, for the

1 first time probably in my lifetime we've seen
2 a pretty substantial uptick in our region.
3 And I am a firm believer that a big part of
4 that has to do with our city being a city and
5 a region where we have welcomed so many
6 refugees.

7 So this year I'm presenting a bit of a
8 pursuit of much more than what we did last
9 year in refugee resettlement funds here in
10 Albany. So I essentially want to see, you
11 know, what are you seeing in that community,
12 what are you seeing where help is needed?
13 And, you know, what sort of is going to be
14 the city's role in moving this community

15 forward?

16 MAYOR BROWN: Thank you very much,

17 Assemblyman.

18 So the New American community is

19 growing dramatically. As you indicated, we

20 had our first population growth in Buffalo

21 since 1950, and in large measure that's

22 because of the presence of New Americans.

23 There are a number of needs that

24 New American communities have: Access to

1 housing, access to healthcare, access to
2 municipal services -- one of the reasons why
3 we created in 2015 the Office of New
4 Americans in the City of Buffalo. Buffalo
5 certainly could use resources as well to
6 provide assistance in accessing not only city
7 but other government services for our
8 New American communities. Your interest and
9 your advocacy for our New American
10 communities is greatly appreciated, and I
11 certainly look forward to working with you as
12 our New American communities continue to grow
13 in the City of Buffalo.

14 ASSEMBLYMAN RIVERA: Thank you. I'm

15 out of time, but eager to be of help whenever

16 I can. And thank you.

17 MAYOR BROWN: Thank you, Assemblyman

18 Rivera.

19 CHAIRWOMAN WEINSTEIN: To the Senate

20 now.

21 CHAIRWOMAN KRUEGER: Thank you.

22 We're going to start with our ranker,

23 Senator Rath, for five minutes.

24 CHAIRWOMAN WEINSTEIN: Excuse me,

1 Senator, is this -- this is the Cities 2 --

2 CHAIRWOMAN KRUEGER: Oh, you know, I'm

3 sorry, so you're not the ranker for this

4 purpose. You still can go next, but you get

5 three minutes.

6 Thank you for the clarification.

7 CHAIRWOMAN WEINSTEIN: Right, because

8 I see Senator --

9 SENATOR RATH: Okay. I'd happily take

10 ranker minutes if you'd grant it to me,

11 Madam Chair.

12 (Laughter.)

13 CHAIRWOMAN KRUEGER: No, I think she

14 caught us. Sorry, Senator Rath.

15 SENATOR RATH: No, I had it there for

16 a second. Oh, my gosh. All right, here we

17 go.

18 Mayor, it is so good to see you.

19 MAYOR BROWN: Good to see you,

20 Senator Rath.

21 SENATOR RATH: And I appreciate your

22 opening comments.

23 And for many years you and I have

24 worked together on economic development when

1 we were on numerous boards together, and we
2 watched the renaissance of Buffalo unfold
3 pre-pandemic. And in your opening comments
4 you had mentioned the \$100 million of state
5 assistance for economic development and had
6 referenced a few communities that you were
7 potentially going to be prioritizing.

8 But if I were to talk about
9 Larkinville, Hertel Avenue, Elmwood Village,
10 East Side, West Side, Canalside,
11 Outer Harbor, there's a lot of hungry mouths
12 to feed, per se, when it comes to investments
13 in the City of Buffalo. Could you provide
14 some specific I guess priorities of where you

15 think that money is going to be utilized and

16 for what purpose?

17 MAYOR BROWN: So, you know, we've seen

18 explosive growth in downtown Buffalo, and we

19 certainly want to see a continuation of that

20 growth. But we also want to see the

21 investments that continue to grow in

22 downtown, the Buffalo Niagara Medical Campus,

23 and our waterfront extend into neighborhoods

24 and neighborhood commercial districts

1 throughout the City of Buffalo.

2 So my focus going forward will be to

3 see even more economic development, retail

4 development, development of services in the

5 residential areas and the commercial

6 districts in neighborhoods throughout the

7 City of Buffalo -- East Side, West Side,

8 North Side and South Side. Equity is a key

9 watch word, and we want to make sure that

10 we're making investments that enable all of

11 our neighborhoods to grow and all of our

12 residents to benefit.

13 SENATOR RATH: Well, thank you. And I

14 think narrowing the focus is important to

15 make sure that we're prioritizing in the

16 right neighborhoods and in the right

17 communities.

18 Also, you touched on tourism and the

19 arts and the investment when state monies or

20 resources are provided, the massive return

21 that comes back to a community for every

22 dollar that's invested in tourism -- you

23 know, the return back to the community. And

24 we have a destination in Western New York and

1 in Buffalo, and I'm hopeful that you can
2 expand on what you think are some of the
3 priorities with regards to tourism and the
4 arts in Buffalo going forward with state
5 monies.

6 MAYOR BROWN: Tourism has been a real
7 driver of economic development activity and
8 job creation in the City of Buffalo, and we
9 see our various tourism venues continue to
10 grow. We have to invest in them. Many of
11 our beautiful tourism venues, you know, date
12 back to over a century and a half. So
13 preserving them is critical to preserving the
14 vibrancy of tourism and arts and culture in

15 the city.

16 I want to make sure, though, as we

17 make those investments we are also investing

18 in our cultural institutions and cultural

19 destinations of color as well, and that will

20 also be a part of the equity that I've talked

21 about in terms of investments in arts,

22 culture and tourism.

23 SENATOR RATH: Well, thank you, Mayor.

24 I appreciate your leadership and look forward

1 to continuing to advocate with you for

2 Western New York.

3 MAYOR BROWN: Thank you very much,

4 Senator Rath. I appreciate you.

5 CHAIRWOMAN KRUEGER: Thank you.

6 CHAIRWOMAN WEINSTEIN: Thank you. We

7 go to Assemblywoman Wallace.

8 ASSEMBLYWOMAN WALLACE: Good

9 afternoon, Mayor. Thank you so much for your

10 testimony today. We really appreciate it.

11 And for your leadership.

12 I, as you know, represent suburban

13 communities in Western New York, but I am a

14 firm believer that we need to take a regional

15 approach and that the health and well-being
16 of the suburban communities I represent
17 really rise and fall on the health and
18 well-being of the city. So I've always been
19 very supportive of making sure that we have a
20 strong city.

21 And so toward that end, you mentioned
22 transportation initiatives that you're
23 involved in, and particularly I think you
24 said the People's Mobility Agenda.

1 Transportation's always an issue, not only
2 for residents in the city but also for
3 suburban communities. And I'm wondering if
4 you can highlight a little bit of what that
5 People's Mobility Agenda involves. That's my
6 first question.

7 My second question relates to
8 accessory dwelling units -- I'm sorry --
9 yeah, accessory dwelling units, I believe
10 they're called, the -- which would allow --
11 basically end single-family zoning for
12 communities across the state. I know that's
13 very controversial.

14 And while we all want to make sure

15 that we have affordable housing, as you
16 discussed with Assemblymember Rivera, we also
17 want to make sure that we retain local
18 control, because our communities are very
19 diverse. And I just wanted to see where you
20 are on that issue.

21 And then third, as we all know, the
22 theater tax credits have been incredibly
23 helpful to Western New York. And I'd like to
24 hear what you think about expanding the

1 upstate theater tax credit.

2 MAYOR BROWN: Thank you very much,

3 Assemblymember.

4 The People's Infrastructure Agenda is

5 a comprehensive look at infrastructure in the

6 City of Buffalo -- roads, sidewalks, bridges,

7 broadband, internet, and actually a

8 shovel-ready look at what the costs would be

9 to make needed infrastructure repairs and

10 investments in the city, which go into the

11 hundreds of millions of dollars. I can

12 provide you with more information on that.

13 I think, you know, local control for

14 our housing development and how we protect

15 housing is critically important, so I look
16 forward to working with you and the
17 delegation on that as well. And your final
18 question was?

19 ASSEMBLYWOMAN WALLACE: Just regarding
20 the upstate theater tax credit.

21 MAYOR BROWN: Yeah, I would love to
22 see the upstate theater tax credit and film
23 tax credit expanded. They have been
24 tremendous in bringing theater and film to

1 the City of Buffalo.

2 ASSEMBLYWOMAN WALLACE: Well, thank

3 you very much, Mayor, and I look forward to

4 working with you on these things.

5 MAYOR BROWN: Thank you,

6 Assemblymember Wallace.

7 CHAIRWOMAN WEINSTEIN: Senate.

8 CHAIRWOMAN KRUEGER: Thank you. And

9 good afternoon, Mayor Brown, nice to see you

10 again.

11 MAYOR BROWN: Good seeing you,

12 Senator Krueger.

13 CHAIRWOMAN KRUEGER: Thank you.

14 And we were also colleagues. All

15 mayors, apparently, were colleagues in Albany

16 before. Not all, but quite a few.

17 Senator Jeremy Cooney, our chair of

18 Cities.

19 SENATOR COONEY: Thank you so much,

20 Chair.

21 And great to see you, Mayor. So

22 pleased to be able to see you here. I wish

23 you were here in person, but we know that you

24 are holding down the fort in Buffalo and

1 Western New York.

2 And thank you -- let me echo my

3 colleagues who came before me and thank you

4 for your leadership and service. I think

5 about our new mayor in Rochester, and he's so

6 fortunate to have friends so close by in

7 Buffalo to help guide him as he takes on an

8 important role in Rochester.

9 Mayor, I know we've worked on a number

10 of issues together, but a new issue to me,

11 which kind of builds upon some of the

12 conversations that you've already had so far

13 with my colleague Senator Rath as well as

14 Assemblywoman Wallace on the arts. And I had

15 the opportunity to spend some time in your
16 city just a few weeks ago spending time at
17 the zoo on a day that it was closed and very,
18 very cold and also spending time at
19 Albright-Knox, AKG -- I've to get that new
20 moniker in my mind after 40 years of calling
21 it Albright-Knox.

22 And it occurred to me that there are
23 some ways of creative thinking as a region,
24 as Western New York, as the twin cities, if

1 you will, between Rochester and Buffalo, that
2 we could find resources to do some
3 collaborative marketing so that if you are
4 coming in from New York City or from an
5 international location to view the collection
6 at Albright-Knox, did you know that just down
7 the road, 40 minutes or so away, we've got a
8 wonderful collection at the George Eastman
9 Museum or the Memorial Art Gallery in
10 Rochester. And the same for our zoo
11 collections, right? If that's what motivates
12 you, we've got world-class facilities in both
13 cities.
14 And yet oftentimes our marketing

15 dollars and our resources at these
16 institutions -- which are bringing in a lot
17 of tourism dollars and people to our
18 region -- stay very myopic, right? It's just
19 AKG, it's just Memorial Art Gallery. And I'm
20 wondering if we can think more innovatively
21 as cities at how we can support each other so
22 that you're bringing in folks who can then
23 come to Rochester, and we're bringing in
24 folks to Rochester that can come down the

1 Thruway west to you in Buffalo, and have both
2 communities flourish because of that.

3 And so I guess my question to you,
4 Mayor, is your thoughts on -- more in the
5 context of the arts and culture -- on how we
6 could better market opportunities between
7 Rochester and Buffalo.

8 MAYOR BROWN: Thank you very much,
9 Senator Cooney. Would be very interested in
10 working with you on that. Obviously New York
11 State is a magnet for people from all across
12 the world. I know that Buffalo gets many
13 visitors from across the nation and
14 internationally, as does Rochester. And

15 would be very pleased to work with you and
16 the new mayor of Rochester on some shared
17 marketing initiatives.

18 A few years ago, prior to the
19 pandemic, I worked with former Mayor
20 de Blasio in New York City on some shared
21 marketing initiatives between New York City
22 and the City of Buffalo which were very
23 successful in Buffalo in getting residents
24 from New York City to actually come here to

1 Buffalo to visit some of our cultural and
2 arts and entertainment destinations. And I
3 think we could do the same thing between
4 Buffalo and Rochester.

5 Money is always an issue. One of the
6 things that, you know, I'm asking for
7 consideration on is AIM funding, Aid and
8 Incentives to Municipalities. In 2010, that
9 funding to municipalities was reduced by
10 7.6 percent, where it has remained flat ever
11 since with no increase.

12 I think having the resources to make
13 these kinds of investments in marketing our
14 tourism destinations across the state will

15 have a financial return to communities all

16 across the state and to the state itself.

17 SENATOR COONEY: I couldn't agree with

18 you more, Mayor. And as you know, when I

19 served as the chief of staff to Mayor Warren

20 in Rochester, that was a topic that we

21 focused on quite a bit, and specifically the

22 Big 5 cities of Buffalo, Rochester, Syracuse,

23 Yonkers and Albany, thinking about the impact

24 that that has for those cities to become

1 thriving centers.

2 As you know further, Mayor, that I've

3 had the great pleasure of serving as the

4 first chair of the Upstate Cities Committee.

5 And, you know, I did an 11-city tour this

6 fall. And some of my colleagues who are on

7 today with us were part of that tour. And I

8 think that was probably -- that and childcare

9 and workforce attraction were the top issues

10 that each of your colleagues across the state

11 as mayors brought.

12 And I want you to know that not only

13 am I supportive of Governor Hochul's

14 restoration to the AIM formula, taking out

15 that interceptor for towns and villages, but

16 I actually think we need to go one step

17 further. And I have been working with your

18 colleagues in the New York Conference of

19 Mayors to see if we can create some

20 additional funding in the budget that would

21 supplement on top of what you're already

22 getting for AIM, but would also be these

23 additional operating dollars.

24 Because I recognize certainly that

1 your role as mayor is to make sure that not
2 only do you pick up the trash on time and
3 snow gets plowed, but to also think how do we
4 get services to those critical populations.
5 You talked about equity before, and I believe
6 in that cause, certainly. And each of our
7 cities is unique in how we deal with equity.
8 You know, Rochester has one out of two
9 children still living below the federal
10 poverty line. And so we would count on our
11 mayor and our city services, whether they're
12 libraries or recreation centers, to be able
13 to deliver those critical services. Mayors
14 know how to get that job done.

15 And so I believe that it's a good
16 investment by the State of New York to
17 increase operating aid or AIM aid, if you
18 will, this year to make up for the last
19 13 years of flat funding. So we will be
20 pushing that out of the Cities 2 agenda in
21 the State Senate.

22 Thank you, Mayor Brown.

23 MAYOR BROWN: Thank you, Senator
24 Cooney. That is fantastic. Certainly I know

1 that the Big 5 cities can definitely use it.

2 I think AIM funding should increase

3 annually, keeping up with inflation. And

4 that transfer to towns and villages I know

5 was very harmful to the City of Buffalo. It

6 essentially took money out of our pocket and

7 gave it to other municipalities. So it is

8 critically important that you and your

9 colleagues are looking at this issue.

10 SENATOR COONEY: Thank you, Mayor.

11 CHAIRWOMAN KRUEGER: Thank you both.

12 Back to the Assembly. Oh, no, you

13 didn't have any other Assembly, right?

14 CHAIRWOMAN WEINSTEIN: No, we do. We

15 do.

16 CHAIRWOMAN KRUEGER: Okay, sorry.

17 CHAIRWOMAN WEINSTEIN: We're going to

18 call on the Majority Leader, Crystal

19 Peoples-Stokes, for 10 minutes.

20 CHAIRWOMAN KRUEGER: Oh, her. Okay.

21 (Laughter.)

22 CHAIRWOMAN WEINSTEIN: Just -- you

23 know, just somebody.

24 (Laughter.)

1 ASSEMBLYWOMAN PEOPLES-STOKES: Thank

2 you all. I appreciate those nice comments.

3 I'm glad you all are smiling about that.

4 (Laughter.)

5 ASSEMBLYWOMAN PEOPLES-STOKES: It's

6 always good to see the mayor as well.

7 MAYOR BROWN: Good to see you, my

8 leader.

9 ASSEMBLYWOMAN PEOPLES-STOKES: I'd

10 like to hear what your thoughts are on the

11 Governor's budget and particularly as it

12 relates to the great City of Buffalo, my

13 beloved Buffalo. I will just ask a couple of

14 questions, though.

15 As relates to the public housing and
16 the capital dollars that you're asking for
17 for renovation, I would ask, which one of
18 those developments are state developments?

19 MAYOR BROWN: You know, right off the
20 top of my head, Assemblymember, I do not
21 recall which developments are state
22 developments.

23 We certainly will work with you on
24 that. We do have a number of state

1 developments. I believe Marine Drive is a
2 state development. But I'm not sure as we
3 speak right at this moment.

4 ASSEMBLYWOMAN PEOPLES-STOKES: Okay.

5 I raised that question because I know that,
6 you know, there had been or are state
7 developments in the City of Buffalo, but I
8 also know the vast majority of them are
9 federally controlled.

10 And in my estimation, I think it's an
11 unfair shift for the federal government to
12 shift their responsibilities to us at the
13 state level to do capital investments to
14 their property. On the other hand, if it's

15 state property, I think it's our
16 responsibility to do capital investments in
17 it.

18 And so I would say that I would be
19 happy to join you in pressing our
20 Congressional delegation to do their job in
21 taking care of municipal housing that is
22 still under federal control. So -- and I'm
23 sure you'll join me in doing that.

24 MAYOR BROWN: Absolutely.

1 ASSEMBLYWOMAN PEOPLES-STOKES: Another

2 thing that I would be interested in your

3 thought process on is the compact. Have you

4 gotten access yet to the agreed-upon deal

5 with the Natives and the Governor?

6 MAYOR BROWN: No, I have not gotten

7 access to the agreement directly between the

8 Governor and the Seneca Nation.

9 Buffalo is certainly anxiously

10 awaiting the casino revenue that is owed

11 through that agreement between

12 Governor Hochul and the Seneca Nation in

13 Buffalo. We estimate the amount we are owed,

14 that should be coming to the city, in excess

15 of \$40 million.

16 ASSEMBLYWOMAN PEOPLES-STOKES: Okay.

17 And that \$40 million is over the period of a

18 few years when this was all in court and it

19 was in flux and no one was passing or shared

20 any resources.

21 But if the deal has been done and you

22 anticipate that \$40 million, my thought

23 process is -- and I'm sure Niagara Falls

24 could agree, as well as Salamanca, since

1 these facilities are operated in their
2 municipal areas and have been ongoing and
3 will be ongoing -- that it really just makes
4 sense for the Senecas to have that agreement
5 with you, as opposed to -- what should come
6 to the City of Buffalo, as opposed to it
7 funneling through the state and being then
8 passed back to you. And I wanted to hear
9 your thoughts on that.

10 MAYOR BROWN: You know, I am certainly
11 supportive of revenue coming directly to the
12 City of Buffalo.

13 It has not been a problem coming to us
14 through the state, so that particular

15 mechanism has not been problematic. What has
16 been problematic is the dispute where the
17 revenues stopped flowing.

18 So I'm glad there's an agreement. You
19 know, the back revenue owed is in excess of
20 \$40 million. And obviously going forward for
21 as long as a Seneca Nation casino exists in
22 the City of Buffalo, I think there should be
23 revenue sharing for this municipality and
24 other host municipalities.

1 So as long as the revenue continues to
2 flow, I don't necessarily mind the
3 pass-through from the state. It hasn't
4 presented any problems for us. But, you
5 know, there's an expression that says God
6 bless the child who's got his and her own.
7 If it could flow directly to the city, we
8 certainly would not object to that.

9 ASSEMBLYWOMAN PEOPLES-STOKES: Okay.

10 I think that's something that we should at
11 least give some consideration to and have
12 conversations about with folks on the second
13 floor. Because it just seems reasonable.
14 It's less accounting for them, quite frankly,

15 and it just is an easier flow.

16 So my last point, I want to be really

17 grateful that you included investing in

18 cultural institutions in your budget. I

19 think along with education, that is probably

20 one of the most critical things we can do for

21 our citizens, is provide them access to

22 culture, be it our own personal cultures or

23 the cultures of other people, as well as the

24 arts. So I'm excited about that, and I hope,

1 in all honesty, that it can be honored.

2 Lastly, I will say this. I know that

3 you have been doing some work on removing

4 lead pipes. And I wonder if there's anything

5 in your budget ask that furthers that agenda

6 and pushes it even faster, because I think

7 that is a major problem. We must get lead

8 out of the societies in which we're trying to

9 raise our children.

10 MAYOR BROWN: In our overall People's

11 Infrastructure Agenda, we do request funding

12 to remove lead lines.

13 Also, in the federal American Rescue

14 Plan Act we have proposed significant dollars

15 again to replace old lead lines. This is
16 something that the City of Buffalo, as you
17 know, Majority Leader, has been working on
18 aggressively for several years. And with
19 requested state dollars as well as federal
20 dollars, we plan on ramping up that focus
21 exponentially and spending tens of million of
22 dollars, if it is available to us, to
23 accelerate the pace of removing lead lines
24 from homes throughout our city.

1 ASSEMBLYWOMAN PEOPLES-STOKES: Thank

2 you, Mr. Mayor. I look forward to speaking

3 with you well into the future as we pursue

4 the 2022 budget.

5 MAYOR BROWN: Thank you very much,

6 Majority Leader Crystal Peoples-Stokes.

7 ASSEMBLYWOMAN PEOPLES-STOKES: My

8 pleasure. Madam Chairs.

9 CHAIRWOMAN WEINSTEIN: Back to the

10 Senate.

11 CHAIRWOMAN KRUEGER: Thank you.

12 And nice to see you, Majority Leader.

13 ASSEMBLYWOMAN PEOPLES-STOKES:

14 Likewise.

15 CHAIRWOMAN KRUEGER: Thank you.

16 Next up is Senator George Borrello.

17 SENATOR BORRELLO: Thank you, Madam

18 Chair.

19 Mr. Mayor, it's good to see you again.

20 I think the last time I saw you was back in

21 September at the Meatball Street Brawl, so --

22 MAYOR BROWN: Yes. Good to see you

23 too, Senator.

24 SENATOR BORRELLO: Yes. I just want

1 to say, first of all, again, congratulations
2 on winning your recent race. And, you know,
3 you've been mayor since 2006, and in that
4 time you really presided over some important
5 initiatives -- economic development
6 initiatives, you've seen a reduction in
7 taxes, and also you oversaw a historic drop
8 in crime in the City of Buffalo. Between
9 2006 and 2018, I believe there was about a
10 40 percent drop in crime.

11 But that being said, you know, in 2019
12 you had 47 homicides. And then in 2020 and
13 2021, you have a record number of homicides,
14 which, you know, in my opinion, correlates

15 directly with the implementation of bail

16 reform.

17 And as everyone has mentioned before,

18 we need a vibrant city in Western New York

19 and the City of Buffalo, and I agree, living

20 just 30 miles south of you. And Western

21 New York is strong when Buffalo is strong, as

22 was said before by, I believe,

23 Assemblywoman Wallace.

24 And you did say when it came to bail

1 reform that, you know, somebody that's caught
2 with an illegal gun -- I'm quoting you --
3 multiple times shouldn't keep getting out on
4 the streets. Somebody that's broken into
5 your home last week, you shouldn't be bumping
6 into in your neighborhood in a couple of
7 days. So there are elements of bail reform
8 that are not working and that have to be
9 changed.

10 With that being said, sir, I'd just
11 like to see you address the issue of bail
12 reform and crime and your ability to do your
13 number-one job, which is to keep the citizens
14 of Buffalo safe.

15 MAYOR BROWN: Thank you for the

16 question, Senator Borrello.

17 I think the Legislature, in its

18 deliberations around bail and cash bail, was

19 certainly concerned about inequities in the

20 system and people -- low-income individuals

21 not being able to come up with bail and

22 waiting in jail for inordinate amounts of

23 time.

24 That being said, I think bail reform

1 does need to be looked at. I think the
2 Legislature is wise to listen to the calls
3 around the state to look at improving the
4 system. You know, people who have been in
5 possession of illegal weapons, who have used
6 illegal weapons, should not be able to get
7 out on bail. People who are habitual
8 lawbreakers should not be able to get out on
9 bail.

10 So I am very appreciative of the
11 concerns of the Legislature and the fact that
12 bail reform is being reviewed.

13 SENATOR BORRELLO: Thank you,
14 Mr. Mayor. And again, best of luck, and

15 we'll see you at the next big event downtown.

16 MAYOR BROWN: Thank you, Senator

17 Borrello.

18 CHAIRWOMAN KRUEGER: Thank you.

19 Assembly.

20 CHAIRWOMAN WEINSTEIN: We go to

21 Assemblyman Jacobson.

22 ASSEMBLYMAN JACOBSON: Thank you,

23 Madam Chair.

24 Good to see the mayor again.

1 Just a quick shout out to the
2 Majority Leader. There's \$115 million coming
3 to the state for lead-line replacement, so we
4 need it in the cities I represent, and I hope
5 that there would be a line item in the budget
6 so there's more transparency so we know where
7 it is and that it doesn't get lost.

8 I represent three small cities in the
9 Hudson Valley: Beacon, Newburgh and
10 Poughkeepsie. I'm from Newburgh. And
11 unfortunately, Newburgh and Poughkeepsie have
12 not regained their prior economic heights,
13 and I look with envy at what's gone on in
14 Buffalo.

15 So I would like to know -- I'll give

16 you just a very easy question -- what would

17 you recommend for cities, because our cities

18 face the same type of challenges that you

19 have and continue to face in Buffalo, but

20 you've done some great -- had some great

21 advances. What would you recommend that our

22 small cities do to achieve better economic

23 development and prosperity?

24 MAYOR BROWN: I think it's critically

1 important for small cities to work with
2 different levels of government, so to work
3 with state government, to work with federal
4 government, and to develop economic
5 development plans that can be presented to
6 the State Legislature and can be presented to
7 the Congressional delegation to bring in
8 additional resources to invest in your
9 strategic planning.

10 In Buffalo, we focused on developing
11 strategic plans for economic development,
12 recognizing that we couldn't invest
13 everywhere at one time, and really focusing
14 our investments strategically in a way that

15 would attract other investment, that would
16 bring jobs to the community.

17 So that would be my recommendation to
18 some of the smaller cities in our state.

19 ASSEMBLYMAN JACOBSON: All right, well
20 thank you. And I'll see what we can do, and
21 we'll all work together because we're all in
22 the same boat and we have very similar
23 situations even though the skies might be
24 different. Thank you.

1 MAYOR BROWN: Thank you, Assemblyman

2 Jacobson.

3 CHAIRWOMAN WEINSTEIN: Back to the

4 Senate.

5 CHAIRWOMAN KRUEGER: Thank you.

6 Now to the last Senator, Diane Savino,

7 who needs to get off her phone.

8 SENATOR SAVINO: I'm coming. Thank

9 you, Senator Krueger.

10 Good to see you, Mayor Brown. It's

11 been a -- good to see you, Mayor Brown. It's

12 been a long time since we were seatmates

13 together a million years ago.

14 MAYOR BROWN: Yeah, good to see you,

15 Senator Savino.

16 SENATOR SAVINO: So I'm going to -- I

17 only have three minutes, so I'm going to ask

18 you the same question I'm going to ask all of

19 the mayors in the Conference of Mayors.

20 One of the biggest problems that local

21 governments are facing around the country --

22 in fact, the President of the United States

23 recently signed an order declaring that

24 cybersecurity risks and ransomware attacks

1 are the national security threat of our time.

2 So I know that many local governments

3 have been dealing with these ransomware

4 attacks, struggling on their own. What do

5 you think the state can do to help the City

6 of Buffalo to prepare for them, to respond to

7 them? And are we doing enough to help local

8 governments deal with what is we now know the

9 national security threat of our time?

10 MAYOR BROWN: Thank you very much,

11 Senator Savino.

12 A number of governments across the

13 country and entities across the country have

14 been under cyberattack, and I think this is

15 something that every government has to pay
16 attention to. But hardening a government,
17 hardening an organization, an entity against
18 cyberattack is expensive. It takes
19 resources.

20 So, you know, in the City of Buffalo
21 we've done a number of things to protect
22 ourselves, including purchasing insurance.
23 But all of the things that we have had to
24 do -- by ourselves -- are expensive.

1 So if there was an allocation of
2 resources and a -- not only an allocation of
3 resources, but a focus on what the playbook
4 could be to harden government entities across
5 the state against cyberattack, that could be
6 very helpful.

7 You know, we have governments of
8 different sizes, governments with more
9 resources or more equipped to protect
10 themselves. Smaller governments are more
11 susceptible to cyberattack.

12 SENATOR SAVINO: Thank you.

13 I know that Angelo Riddick, who is the
14 head of our Office of Internet -- OITS is

15 what we call it -- he is going to be reaching

16 out to local governments, to school

17 districts, to help coordinate that activity.

18 But you're absolutely right, the state

19 does need to do more. The federal government

20 in the infrastructure package last year did

21 include about \$3 billion for cybersecurity

22 grants. Certainly it's a drop in the bucket

23 to help state and local governments. But we

24 need to figure out a way to access some of

1 that money and to provide resources directly
2 to our local governments and our
3 municipalities.

4 So I look forward to working with you
5 on that. And again, congratulations, good to
6 see you, and good luck. Thank you.

7 MAYOR BROWN: Thank you, Senator
8 Savino.

9 CHAIRWOMAN WEINSTEIN: We have one
10 more Assemblymember, Assemblyman Mamdani.

11 ASSEMBLYMAN MAMDANI: Thank you,
12 Chair Weinstein.

13 Thank you, Mayor Brown. I'm going to
14 jump straight into the questions.

15 Where does the building of a new

16 Buffalo Bills stadium rank in your priorities

17 for state expenditure for the City of

18 Buffalo?

19 MAYOR BROWN: I would like to see a

20 new Buffalo Bills stadium.

21 The stadium agreement is between

22 Erie County government, the State of

23 New York, and the ownership of the team. So

24 the City of Buffalo, while it is the

1 Buffalo Bills, is not a party to that
2 agreement. The Bills don't physically -- as
3 you know, Assemblyman -- play in the City of
4 Buffalo. The stadium is located in
5 Orchard Park.

6 But there are many benefits, I
7 believe, that come back to the City of
8 Buffalo, and so I am a proponent of a new
9 Bills stadium and certainly would like to see
10 those negotiations successfully concluded and
11 a new stadium built in Western New York.

12 ASSEMBLYMAN MAMDANI: Thank you,
13 Mayor. Are you a proponent of the new
14 stadium being built within the City of

15 Buffalo?

16 MAYOR BROWN: Would love to see it

17 built in the City of Buffalo. However, there

18 would be a significant additional cost to

19 doing that, it might take significantly

20 longer for that to happen, and I think

21 potentially would put the Bills remaining in

22 Western New York at risk.

23 So I have come out in support of

24 building the new stadium across from the

1 existing stadium in Orchard Park, believing
2 that there are still very significant
3 benefits to the City of Buffalo and its
4 residents and all of the residents of
5 Erie County and Western New York.

6 ASSEMBLYMAN MAMDANI: Thank you.

7 And just to follow up, earlier, as you
8 were saying, while the City of Buffalo is not
9 party to that agreement, if there is a
10 specific amount of funding that is being
11 allocated to Erie County and Western New York
12 at large, would you say that this is your top
13 priority, or in the top three, of how the
14 money should be spent in the region?

15 MAYOR BROWN: I would say that that
16 certainly is a priority for our region. That
17 would be one of many priorities that I would
18 have for spending. But certainly believe
19 that, you know, the Legislature should
20 support the funding of a new stadium for this
21 community.

22 ASSEMBLYMAN MAMDANI: Thank you.

23 And my final question -- I don't have
24 much time, but I'll just try here -- is

1 switching topics to housing, what is your

2 stance on accessory dwelling units?

3 MAYOR BROWN: You know, that's --

4 that's been asked. Have some concerns about

5 that. I think local control in participating

6 in setting housing policy is critically

7 important, so want to see that maintained.

8 ASSEMBLYMAN MAMDANI: Thank you very

9 much, Mayor Brown.

10 MAYOR BROWN: Thank you, Assemblyman.

11 CHAIRWOMAN WEINSTEIN: Senator

12 Krueger, do you have any --

13 CHAIRWOMAN KRUEGER: No, I think we

14 have completed the assignment on the Senate

15 side.

16 CHAIRWOMAN WEINSTEIN: Okay. And here

17 too on the Assembly.

18 So Mayor Brown, thank you for spending

19 this time with us today and look forward to

20 continuing to work with you and the members

21 of the Legislature.

22 And now we will move --

23 MAYOR BROWN: Thank you.

24 CHAIRWOMAN WEINSTEIN: Now we will

1 move on to the City of Rochester, the

2 Honorable Malik Evans, mayor.

3 (Pause.)

4 CHAIRWOMAN WEINSTEIN: Is the mayor

5 here?

6 THE MODERATOR: The mayor is on his

7 way.

8 CHAIRWOMAN WEINSTEIN: Okay. I assume

9 that means he's in the --

10 THE MODERATOR: He's in the green

11 room. They're trying to get him over.

12 CHAIRWOMAN WEINSTEIN: He's in the

13 green room. So you're just moving him over.

14 THE MODERATOR: Yes.

15 CHAIRWOMAN WEINSTEIN: Okay, thank

16 you.

17 CHAIRWOMAN KRUEGER: In the old days,

18 that could mean they could be in the parking

19 lot of the LOB, never to be found again.

20 (Laughter; discussion off the record.)

21 THE MODERATOR: The mayor has joined

22 the meeting.

23 CHAIRWOMAN WEINSTEIN: Okay, thank

24 you.

1 So welcome, Mayor Evans.

2 MAYOR EVANS: Thank you.

3 CHAIRWOMAN WEINSTEIN: This is your

4 first time before us, and there are -- there

5 is 10 minutes on the clock. Keep an eye on

6 it. We have distributed your testimony, so

7 feel free to summarize. And then I know a

8 number of my colleagues will have some

9 questions for you, both Assembly and

10 Senators.

11 So the floor is yours.

12 MAYOR EVANS: Thank you.

13 Good afternoon, Chairwoman Krueger and

14 Chairwoman Weinstein, members of the Ways and

15 Means and Finance Committees, and other
16 members of the Senate and Assembly. I am
17 honored to have this opportunity to speak on
18 behalf of the residents, business owners and
19 all the stakeholders of Rochester.

20 As you know, I am the newly elected
21 mayor of Rochester, and when I look around, I
22 see a lot of things that are new or almost
23 new. We are living in a tremendous time of
24 change, in a tremendous time of challenge,

1 and in a time of tremendous opportunity. But
2 I'd like to choose the word "new" to describe
3 all of that, because it inspires hope and
4 optimism. We all love a new day, and I am
5 certainly relishing my new day as mayor of
6 Rochester. And despite the incredible and
7 very tragic challenges we are facing related
8 to the twin pandemics of the coronavirus and
9 unprecedented violent crime, we must never
10 forget that it's a new day for Rochester and
11 New York State.

12 New York has a new governor; America
13 has an almost-new president, and our county,
14 Monroe County, has an almost new county

15 executive. The New York State Legislature
16 has a host of almost-new members and an
17 almost-new leadership team with a new mandate
18 to bring much-needed transformation to our
19 state. And they have unprecedented levels of
20 resources to deliver opportunities that are
21 so new that we could barely imagine that a
22 year ago.

23 But we're also filled with more than a
24 little trepidation, because new opportunities

1 also carry risk and pressure to get them
2 right. We have to get them right the first
3 time because we likely won't get these
4 opportunities again. And that risk and
5 pressure are very real.

6 I've been on the job for just over a
7 month, but on my very first day in office I
8 found myself talking to a mother because her
9 14-year-old child, her 14-year-old baby, was
10 shot down in cold blood while walking to the
11 store to buy noodles.

12 These tragedies, and so many others
13 like them, do not have to happen. They do
14 not have to be inevitable. But they will

15 keep happening again and again and again --

16 they will keep happening if we don't seize

17 the opportunities we have before us now.

18 I am the son of a preacher, so hope

19 and optimism come easy for me. So does

20 gratitude. And I am filled with all of those

21 as I make a deliberate choice to focus on the

22 new day for Rochester and all of New York. I

23 am grateful for the support Rochester has

24 received from the state, particularly our ROC

1 the Riverway initiative, and I thank Governor
2 Hochul for her support for RECAP, the
3 Regional Economic Community Assistance
4 Program, which will leverage additional
5 private funding to make strategic investments
6 in workforce development, waterfront,
7 smart business, commercial corridors,
8 innovation and capacity-building in
9 Rochester.

10 These funds will allow us to make
11 additional progress with the ROC the
12 Riverway, which includes exciting plans to
13 create the Rochester High Falls State Park,
14 revitalize the Rochester Riverside Hotel,

15 update the Joseph A. Floreano Rochester
16 Riverside Convention Center, and renovate the
17 High Falls Visitor Center.

18 These projects are critical to the
19 revitalization of our waterfront and our
20 downtown. ROC the Riverway is a product of
21 our strong state and local partnership that
22 not only improves the quality of life of all
23 of our residents, but also elevates
24 Rochester's potential as an economic engine

1 for the entire state.

2 As a result, our city is a more

3 attractive destination for tourists,

4 employers, and especially those in the

5 gaining knowledge economy, whose workers

6 covet a strong work-life balance with

7 ready-to-access natural resources like the

8 Genesee River.

9 And there's some other things in the

10 state budget that I am very excited about:

11 funding for infrastructure through the

12 Bridge-NY, Pave NY, Consolidated Highway

13 Improvement Program or CHIPS, and the Pave

14 Our Potholes program -- any mayor loves

15 potholes -- economic development investments,
16 including the RECAP program I mentioned
17 earlier, numerous investments in public
18 safety initiatives, including the
19 Gun-Involved Violence Elimination program, or
20 GIVE, the SNUG outreach program, the
21 Community Stabilization Units partnership,
22 capital for communities to combat gun
23 violence, and funding for community
24 empowerment and crime reduction programming

1 for areas victimized by gun violence.

2 In addition, I greatly appreciate the

3 Governor's dedication of funding to housing

4 to create and preserve affordable homes,

5 support the operation of shelters and

6 supportive housing units, and provide rental

7 subsidies -- and for her promise to further

8 strengthen neighborhoods through the

9 Restore NY program to combat blight by

10 supporting efforts to address vacant and

11 abandoned properties.

12 And I applaud the Governor's

13 commitment to educate our children through an

14 increase in school aid. Our children are our

15 future, and it's important that we invest in

16 them.

17 But I have three more things that I

18 want to ask. The first one is an increase to

19 AIM aid. The second is money to get the lead

20 out of our water system. And the third is

21 legislation to make our Persons In Crisis

22 team Medicaid-eligible so we can sustain this

23 alternative response model.

24 Regarding AIM aid, Rochester had this

1 funding reduced to its current level of
2 88.2 million in 2012, where it's stayed ever
3 since. In that time, Rochester's
4 concentration of poverty -- a blight on not
5 just Rochester but the entire state --
6 remained shamefully high. These numbers are
7 especially reprehensible because they are the
8 underlying cause of the 81 homicides our city
9 experienced last year.

10 It is incumbent upon every New York
11 lawmaker to help reverse this trend, whether
12 they represent our city or not, by
13 eliminating the disparity in our AIM formula.
14 As you are forecasting surpluses in the

15 billions, I believe that this current year is

16 a time to really help us in the AIM aid

17 category, and I implore you to do so.

18 Rochester continues to have a high

19 maintenance of effort and much lower

20 per-capita Aid and Incentives to

21 Municipalities than Buffalo and Syracuse.

22 Because of the state's MOE requirement, more

23 than 63 percent of our tax levy goes to the

24 school district.

1 Secondly, Rochester has made great
2 strides in reducing lead poisoning in
3 children through programs that remediate lead
4 paint in homes. Now it's time to continue to
5 get the lead out of our water system.
6 Increased federal regulation will require it,
7 but federal funding will fall far short of
8 the estimated \$200 million it will take to
9 eliminate lead pipes. This is a burden that
10 a city with one of the highest child poverty
11 rates in the country cannot bear alone.
12 Rochester started to remove these
13 pipes years ago. But without exhausting all
14 of our ARPA funds, which are needed to help

15 us recover from the pandemic, we simply don't
16 have the resources to do it in a reasonable
17 time frame. New York State is fortunate to
18 be in a position to help, so I am asking,
19 please help us. A commitment of \$125 million
20 will address the shortfall we anticipate
21 after federal infrastructure funding and city
22 ARPA investments are exhausted.

23 And finally, I ask that the state pass
24 legislation that will make our Persons In

1 Crisis team eligible for reimbursement from
2 Medicaid. Arising out of the Daniel Prude
3 tragedy, the PIC team was developed to
4 respond to mental health calls as an
5 alternative to police response. Its aims are
6 to divert nonviolent 911 crisis calls towards
7 a mental health or social service-focused
8 response, deescalate crisis calls, connect
9 service users to appropriate community
10 resources, and provide referrals and supports
11 to stabilize service users and prevent future
12 crises.

13 The service is available 24/7 across
14 the entire city of Rochester to provide rapid

15 mobile response to individuals in crisis. We
16 need a funding stream to make this critical
17 service sustainable.

18 In closing, I again thank you for the
19 opportunity to speak to you today on behalf
20 of the people of Rochester, and I look
21 forward to answering the questions you may
22 have. I came from the background of the
23 five Bs -- be brief, brother, be brief -- so
24 I've still got a minute and 53 seconds on the

1 clock. So I hope you will give me some bonus

2 points for finishing in under the time. And

3 I welcome your questions.

4 CHAIRWOMAN WEINSTEIN: Definitely

5 bonus points. But I'm not sure you can trade

6 them for dollars.

7 (Laughter.)

8 CHAIRWOMAN WEINSTEIN: So we go to

9 Assemblyman Bronson, for three minutes.

10 ASSEMBLYMAN BRONSON: Thank you,

11 Madam Chair.

12 And Mayor Evans, great to see you here

13 today. I want to thank you for your

14 testimony. More importantly, I want to thank

15 you for your leadership, especially as a new
16 mayor helping to build bridges, making sure
17 that you're working collaboratively and in
18 partnership with other leaders in government
19 and with community leaders and our families
20 in the City of Rochester, so we can do what's
21 right for our families and children in the
22 City of Rochester.

23 I want to focus on one area. You
24 mentioned the 14-year-old, your first day in

1 office. The level of violence in our city is
2 unacceptable, and we must address it.
3 Eighty-one homicides, a historical level of
4 homicides last year.

5 As chair of Economic Development, I'd
6 like to think about the intersection of
7 economic development with public safety and
8 antiviolence measures. Could you speak a
9 little bit about the linkage of those items?

10 MAYOR EVANS: Absolutely. And thank
11 you for that question, Assemblymember
12 Bronson.

13 They go together like, you know, a
14 horse and carriage went together back in the

15 day. You cannot talk about violence-

16 reduction strategies without talking about

17 economic development. It's one of the

18 reasons why one of the things we talk about

19 in Rochester is our Youth to Work program.

20 One of the best violence-reduction strategies

21 we can have in the City of Rochester is a

22 jobs program -- not only a jobs program for

23 young people but also a jobs program for

24 parents.

1 So as we look to invest in seeing a
2 shift in the levels of violence that we see
3 in our community, we have to also make sure
4 that we make those front-end investments.
5 When we invest in, you know, prisons, locking
6 someone up, those type of issues, that's
7 after the fact. That's when someone is dead.
8 You know, that's too late. But if we can get
9 our young people very early on with
10 investments so that if any young person that
11 wants a job can get a job, they're more
12 likely to be successful.
13 The data is clear. If young people
14 are engaged in meaningful activities, they

15 are not going to get involved in negative
16 behavior. And if an individual is coming out
17 of incarceration or if they're involved in a
18 negative activity, if they get access to a
19 job, the chances of them being involved in
20 violence or crimes severely diminishes.

21 So economic development and jobs are
22 one of the key components that we are
23 focusing on in the city, and it's why I
24 appointed someone who reports directly to me

1 that is in charge of all violence-reduction
2 programs. And what he's looking at are jobs
3 and opportunities as part of that.

4 ASSEMBLYMAN BRONSON: Thank you,
5 Mayor. And look forward to working with you
6 on that issue as well as the capital projects
7 you mentioned, the AIM disparity, making sure
8 that we rectify the lead exposure through our
9 water infrastructure, and also the mental
10 health crisis response so that we're doing it
11 in a way that is compassionate and caring and
12 not in a way that uses excessive force and
13 control.

14 So a lot of work ahead, but I'm

15 looking forward to partnering with you,

16 Mayor. Thank you.

17 MAYOR EVANS: Thank you. Thank you,

18 Assemblymember.

19 CHAIRWOMAN WEINSTEIN: We go to the

20 Senate.

21 CHAIRWOMAN KRUEGER: Yes, thank you.

22 We're going to call on Chair Jeremy Cooney.

23 SENATOR COONEY: Thank you, Chair.

24 And great to see you here, Mayor

1 Evans. Thrilled to welcome you into this
2 space and to congratulate you publicly on
3 your victory. And we thank you for your
4 leadership with the City of Rochester when
5 we --

6 CHAIRWOMAN WEINSTEIN: Excuse me,
7 Senator. The time clock should say 10
8 minutes since you are the chair of the
9 Cities 2.

10 CHAIRWOMAN KRUEGER: Thank you,
11 Helene. Thank you.

12 SENATOR COONEY: Always nice to get
13 some bonus points on the clock. And I'll be
14 brief, following our mayor's lead here. We

15 won't need to use that full 10 minutes. But

16 thank you, Chair Weinstein and Chair Krueger.

17 Mayor, I want to continue the

18 conversation that Assemblymember Bronson

19 started around public safety, because I too

20 am concerned and frustrated and want to

21 support you as much as we can. When it comes

22 to reducing gun violence, you mentioned

23 investing in SNUG and GIVE, and those are

24 programs that we definitely want to continue

1 to fund. But you've been around the block
2 for a long time. You know a lot of the
3 not-for-profits in our community, based on
4 your time on the school board and as a
5 community leader.

6 I'm wondering if -- and this is really
7 kind of more brainstorming, but how we can
8 help you with state resources by investing in
9 some of those smaller not-for-profits or
10 community interrupter -- violence
11 interrupter, excuse me, groups that are out
12 there, whether it's ROC the Peace, whether
13 it's some of the work that Justin's doing
14 with Untrapped Ministries, who maybe haven't

15 been the recipient of some of the funding
16 we've received in the past, like Center for
17 Youth and some of the other wonderful
18 organizations that have been doing good work
19 in this space.

20 Because I think we need to be nimble.
21 I think we need to try things differently
22 when it comes to the City of Rochester and
23 how we tackle gun violence. And I'm
24 wondering if you could comment on -- you're

1 bringing new leadership to City Hall; who are
2 some of the new organizations and ways -- new
3 partnerships that we can fund that may tackle
4 this issue of gun violence differently?

5 MAYOR EVANS: Yeah, I think that one
6 of the things that we need to do is an
7 all-hands-on-deck. In order to deal with
8 violent situations we have to use every --
9 multiple tools within the toolbox. So if
10 there's an organization, for example, that is
11 good with dealing not only with the young men
12 that might be getting ready to pick up a gun,
13 but can also deal with the whole family. And
14 a lot of this violence, it stems from things

15 are also happening in the household.

16 Because, for example, if you have a

17 person that is involved in violence, you have

18 to deal with that person but then you also

19 have to get into that household. So any

20 organization that is looking at the whole

21 family. Because if you're a young man and

22 you're 14 years old, you may have an older

23 brother that might be 21 that might be

24 influencing you. So you can't just deal with

1 the 14-year-old, you also have to go in and
2 deal with the older brother that might be in
3 the house or the grandmother or mother or
4 father that also might be living there that
5 also may need some type of services to go
6 along with what's happening in that
7 household.

8 So we're interested in partnering with
9 organizations that look at it from the
10 holistic standpoint. No 14-year-old grows up
11 and says, Hey, I decide I want to pick up a
12 gun. It's the environment that they're in
13 that sometimes is created to make them feel
14 as though they need to join a gang or pick up

15 that weapon.

16 So we have to look at nontraditional

17 organizations who may not -- who may not be

18 large and go through the process of

19 understanding -- they may not have a

20 501(3)(c), they might need to be part of a

21 host agency. And we're interested in looking

22 at all of those types of organizations as

23 part of our effort. Victor Saunders, who is

24 running all of our violence-reduction

1 efforts -- the one thing we did was we
2 centralized them all under one place. And
3 what we're saying is is that all of those
4 multiple organizations that kind of operate
5 like octopus arms, we're saying we want you
6 to centralize under one place, see how we can
7 fill any of the gaps that are missing, and
8 then get those folks to coordinate and work
9 together.

10 Because not only do we need the
11 traditional organizations that might have
12 operated in the space before -- because we
13 are living during different times, we need to
14 try different things. And I will tell you,

15 we had something similar to this in the
16 nineties in Rochester when we had high levels
17 of violence. This is a very similar time to
18 1993 in Rochester. The only difference is is
19 that I have never seen young people with
20 access to the firepower that they have now.
21 That's one of the big differences. Yes,
22 there was gun violence before, but now the
23 levels of what I'm seeing -- I have a book on
24 the computer that I can pull up right now

1 that shows 14-year-olds holding firearms that
2 not even police officers or hunters have.

3 So we have to find ways to reach those
4 people in order to get them to go down a path
5 of positivity. Otherwise, we'll be paying
6 for it, but we'll just pay for it later on
7 when we lock them up. And that's much more
8 expensive than giving somebody a job that
9 pays them \$15 an hour working 20 hours a
10 week. I'd rather do that than spend the time
11 locking them up.

12 SENATOR COONEY: Well, I couldn't
13 agree with you more, Mayor. And your
14 preventative approach is refreshing. I also

15 commend you for consolidating all of those
16 octopus arms under your office so that we can
17 have a centralized solution.

18 And we stand ready as a delegation to
19 work together with you to make sure that you
20 have the resources to be successful.

21 I want to switch gears a little bit
22 and build off a conversation that we had just
23 a few moments ago with your colleague mayor
24 just down the Thruway to the west, Mayor

1 Brown, about arts and culture.

2 As you know, we have a rich history of

3 arts and culture in our community. We're

4 very fortunate to have a number of those

5 institutions located within the City of

6 Rochester specifically. One of the things

7 that I've been exploring as the chair of the

8 Upstate Cities Committee is how we can better

9 collaborate not just internally with our

10 artistic organizations, but actually with

11 Buffalo.

12 We have a lot of folks who travel from

13 New York City or from places around the globe

14 to come and visit Buffalo to see the

15 Albright-Knox Gallery or to go to the
16 Buffalo Zoo. But we have, of course,
17 resources just 45 minutes down the road like
18 the Memorial Art Gallery or the George
19 Eastman Museum, or our own Seneca Park Zoo,
20 to share those cultural experiences and to
21 find opportunities to partner together.

22 And so my question to you, Mayor, is
23 would you be willing to work with Mayor Brown
24 on trying to find those marketing strategies,

1 if you will, so that when the Strong Museum
2 of Play has attracted one family to our part
3 of the state, that that same family may
4 travel to Buffalo and experience some of the
5 opportunities that they offer. Is that
6 something that you might be interested in
7 engaging with?

8 MAYOR EVANS: Absolutely. You know,
9 one of the first tasks that my chief of
10 staff -- who I stole from the state -- one of
11 her first tasks was to reach out to the
12 chiefs of staff of Buffalo and Syracuse as
13 well. Because, you know, Rochester and
14 Syracuse, both places are only about an hour

15 away. And, you know, I've got family that
16 live in Maryland and family that live down in
17 the New York City area. That's not really
18 that long of a distance.

19 So to see how we can have a
20 coordinated approach, a coordinated marketing
21 approach to not just market Rochester, but
22 the region -- you know, I'm always mentioning
23 all the things that Buffalo has to offer
24 whenever we have people who come into town

1 because it is so close. And Rochester has

2 things that we have to offer.

3 So there is absolutely a great

4 opportunity for Buffalo and also, I believe,

5 even Syracuse, because we are so close

6 together -- Rochester's in the middle. We're

7 like the arm that reaches both sister cities,

8 Buffalo to the west and Syracuse to the east.

9 There is power there. There is power in

10 those three cities speaking with one voice on

11 issues of mutual concern. But it's a great

12 opportunity for us to be able to share the

13 wealth a little bit. Because strong economic

14 development in Buffalo, strong economic

15 development in Rochester or in Syracuse helps

16 the entire region.

17 So we are excited about working with

18 both Buffalo and Syracuse on ways in which we

19 can collaborate. Because it just makes

20 sense, we're close together, a lot of us are

21 Buffalo Bills fans --

22 (Laughter.)

23 MAYOR EVANS: So we look forward to

24 finding ways in which we can collaborate with

1 both cities. Because not only does it
 2 enhance our individual cities, it enhances
 3 all of upstate New York. And I think that
 4 it's high time for upstate New York to work
 5 together to make sure that we are able to
 6 help lift all of our cities at the same time.

7 SENATOR COONEY: Thank you, Mayor.

8 And you know I have a soft spot for those
 9 city mayors' chief of staffs who are --

10 MAYOR EVANS: That's right.

11 SENATOR COONEY: -- who are doing the
 12 work.

13 MAYOR EVANS: You can relate.

14 SENATOR COONEY: And I know Tammy's

15 going to do a great job working in your

16 administration.

17 Let me again switch gears a little

18 bit. We went from the public safety to arts

19 and culture. Let's talk about something that

20 you and I care very deeply about, which is

21 the education of our children. You and I are

22 both graduates, proud graduates of the

23 Rochester City School District. You and I

24 both live in the City of Rochester. And you

1 know, of course, have had leadership on the
2 Rochester City School District Board of
3 Education.

4 We've been doing a lot of work as a
5 delegation to support our superintendent and
6 our school board members and of course all
7 the families and children that they represent
8 and serve. We're looking for ways to
9 collaborate and to find opportunities between
10 the City of Rochester and the school district
11 on how we can uplift and help our students,
12 many of whom -- as you noted -- are from
13 families living in poverty.

14 What are some ways you can bring your

15 experience on the school board to your new
16 role as mayor to help strengthen those
17 relationships?

18 MAYOR EVANS: Collaboration,
19 collaboration, collaboration. We're going to
20 be joined at the hip with the Rochester City
21 School District. A strong school district is
22 good for me because that allows me to have a
23 tax base and I don't have parents running out
24 when their kids get 3 years old, 4 years old.

1 The Pathways to Public Safety program
2 is one way in which we will continue to
3 collaborate. Anything that we can do with
4 jobs, employment and youth, making use of our
5 recreation centers because we have great
6 distribution amongst the city. And making
7 sure that the 133 hours that kids spend
8 outside of school is used to reinforce and
9 support the education of our children, what
10 they're getting in the district.

11 So we look forward to continuing to
12 collaborate with the district. I have the
13 gray hair (indicating) to prove from my time
14 on the school board, and I look forward to

15 continuing to work with our district.

16 SENATOR COONEY: How refreshing. And

17 thank you again for being here, Mayor.

18 MAYOR EVANS: Thank you, Senator.

19 Appreciate your leadership.

20 CHAIRWOMAN KRUEGER: Thank you.

21 Assembly.

22 CHAIRWOMAN WEINSTEIN: We go to

23 Assemblywoman Clark, three minutes.

24 ASSEMBLYWOMAN CLARK: Hello, Mayor

1 Evans. So very exciting to have you join us
2 here today and talk about Rochester. We've
3 come a long way from our days on the
4 Youth Bureau --

5 MAYOR EVANS: Right.

6 ASSEMBLYWOMAN CLARK: I can't even
7 talk about how many decades ago that was.

8 I want to sort of push into one of the
9 topics you talked about. We have obviously a
10 lot of challenges in the city, and a lot has
11 been handled by some of my colleagues in
12 terms of what we are so excited to work with
13 you on to bring those resources home.

14 But my focus is on the PIC team. I

15 joined the Mental Health Committee this year

16 because I feel it's just one of the biggest

17 challenges we have to face. I did a

18 ride-along with Senator Brouk in the -- to

19 see the great work the PIC team is doing.

20 If we were able to get that to a

21 sustainable funding model, if we were able to

22 really pay that as the healthcare that it

23 is -- it's so valuable as a crisis response.

24 But do you have any thoughts of what you

1 could do if we could expand that because it
2 became a reimbursable expense and something
3 that is really truly part of the healthcare
4 system as well?

5 MAYOR EVANS: I think we could
6 continue to enhance, we would be able to
7 continue to enhance training and we could
8 ensure that more calls could happen so there
9 wouldn't be holes.

10 A lot of calls -- and I review -- I'm
11 kind of crazy. I actually review all the
12 calls for service that the Rochester Police
13 Department gets. It makes good bedtime
14 reading. And a lot of the calls are around

15 mental health issues. Families are having a
16 problem with their daughter or someone is
17 suicidal -- you'd be surprised how many of
18 those calls that you get.

19 But you have to have a worker
20 available to come. The county will backfill
21 it but because, in a city our size, when you
22 have a multitude of mental health challenges
23 going on all at the same time, there's only
24 so many people that can respond to that. So

1 if you could beef that up with more
2 individuals, we could do it. We'd also have
3 more training. It will allow us to be able
4 to reach that at a very sustainable level.

5 And the good thing is that it's really
6 not that much more expensive in order for us
7 to beef it up, particularly if it became
8 Medicaid-eligible. That would be -- and we'd
9 work with the county on that. Because we
10 have such a great relationship with the
11 county, it wouldn't be hard to do. You know,
12 the county executive and I, Adam Bello, you
13 know, we see each other three to four times a
14 week, talk almost daily. So it just makes

15 sense for us to be able to do that.

16 But it would be transformative in the

17 mental health space. And I'm sure any of us

18 on this call understands the importance of

19 mental health. So imagine, if you don't have

20 the resources -- all of us on the call have

21 the resources to go and seek out mental

22 health help if we need it. Imagine if you

23 don't have it. And imagine if it then comes

24 down to a police officer -- who doesn't have

1 time to be dealing with those types of
2 issues. They have other violent things that
3 they have to deal with.

4 But if we can send a trained
5 professional out there, it could be
6 transformational, Assemblymember.

7 ASSEMBLYWOMAN CLARK: I agree. And we
8 do know what happens if we don't send the
9 right people, and we've had our own
10 experiences of that in Rochester.

11 I not only am a huge proponent of
12 this idea, I think it could be an example for
13 the entire state of how we take mental health
14 and crisis response to a different place, a

15 more holistic place that actually helps meet
16 the challenges that it is -- with compassion,
17 and changes everything in terms of crisis
18 response.

19 So thank you for your leadership
20 there, and you have a champion here to help
21 you get there.

22 MAYOR EVANS: Thank you,
23 Assemblymember.

24 CHAIRWOMAN WEINSTEIN: We go to the

1 Senate.

2 CHAIRWOMAN KRUEGER: Thank you very

3 much.

4 And we go to Senator Rath.

5 SENATOR RATH: Thank you very much,

6 Madam Chair.

7 And Mayor Evans, great to meet you and

8 congratulations on your new role.

9 MAYOR EVANS: Thank you.

10 SENATOR RATH: Public safety and

11 crime, as you know, are major issues and

12 major challenges for the City of Rochester.

13 And frankly right now the people in Rochester

14 in many ways don't feel safe. And I believe

15 that needs to change. And if you look at
16 safe and prosperous municipalities, what that
17 does is that has a spillover effect or a
18 mushrooming effect around the communities
19 around them.

20 So I want to ask you a few questions
21 about bail reform. And we talked earlier
22 today with New York City Adams, who was quite
23 outspoken about the critical need for
24 amending bail reform measures through both

1 enhanced judicial discretion, with things
2 like dangerousness being considered, and
3 much-needed discovery reform.

4 So my question is, do you believe that
5 these same changes are necessary and
6 appropriate to improve public safety and
7 reduce criminal activity in the City of
8 Rochester?

9 MAYOR EVANS: Yeah. Well, I think
10 judicial discretion is something that I would
11 like to see, as long as it's fairly applied.

12 I think one of the things that we
13 could seriously use help with in the City of
14 Rochester as it relates to violence -- and

15 the first thing, the one point I want to make

16 is that about one -- less than 1 percent of

17 the population in Rochester are violent. So

18 the vast majority of Rochester is not

19 violent, out of control.

20 We have the -- what we need to make

21 sure that we do a better job in is zeroing in

22 on the individuals that are creating the

23 mayhem, the chaos in Rochester. And we know

24 who those individuals are. And that's what

1 we need to do a better job of doing.

2 As it relates to bail reform, and I've

3 said this to my team, you know, this is still

4 a new concept. What I'm interested in is

5 looking at the data to see if that is really

6 the main driver of more violent crime in

7 Rochester. Because I talk to some of my

8 colleagues around the state -- the mayors of

9 Cleveland, Pittsburgh, we talk regularly.

10 They don't have bail reform, and they're

11 dealing with the exact same issues as it

12 relates to violent crime.

13 So if it is bail reform that's causing

14 that, after I look at all the data and see

15 that, hey, let's look and see what changes

16 need to be made.

17 The other problem that I have in

18 Rochester is the Iron Pipeline. And everyone

19 should know what the Iron Pipeline is:

20 Pennsylvania, Ohio, North Carolina,

21 South Carolina, Florida, Georgia. They're

22 not legal gun owners that are going to see

23 Jamie Romeo, our county clerk. But we've got

24 illegal guns coming into New York State,

1 arriving in Rochester, along the Iron
2 Pipeline. And we have to figure out a way --
3 see, I need help with that. And that's
4 something that I can't do, it's something
5 that our police officers can't do. But when
6 they are faced with people who have firepower
7 that is more than some armies in small
8 countries have, that creates a serious
9 problem for our citizens.

10 So I think that to attack violent
11 crime, Senator, we have to look at all of the
12 above. And if we do that, I think we will
13 see a safer, more prosperous Rochester. But
14 I do just want to reiterate that Rochester is

15 safe. There are some individuals that are
16 wreaking havoc, and they need to be dealt
17 with.

18 SENATOR RATH: Well, thank you. I
19 think bail reform is a critical key component
20 to getting this accomplished for the City of
21 Rochester.

22 MAYOR EVANS: Thank you, Senator.

23 CHAIRWOMAN KRUEGER: Assembly.

24 Do we have an Assemblymember?

1 CHAIRWOMAN WEINSTEIN: Demond Meeks.

2 ASSEMBLYMAN MEEKS: I just want to

3 take a deep breath -- definitely a breath of

4 fresh air. Thank you.

5 I just wanted to touch base with you

6 regarding some of the concerns that we've had

7 as a community regarding housing insecurity

8 and food insecurity. You know, a lot of us

9 are beating the pavement doing what we can

10 do.

11 What's the game plan, if you have any,

12 and how can we be of further assistance?

13 MAYOR EVANS: Yeah, I think housing

14 insecurity is something that is extremely

15 important to us. I know that you guys have,
16 in your Legislature, some conversations
17 around, you know, just cause and eviction and
18 that type of stuff, and I think that you'll
19 have to look at that and see if you see that
20 as something that can help.

21 But, you know, housing insecurity is a
22 major issue. I'm very concerned about the --
23 with the eviction moratorium coming to an end
24 and then once evictions start again, we need

1 to make sure that we continue to have
2 resources for those individuals, particularly
3 people who may have been displaced from their
4 jobs. Also assistance for landlords as well
5 as homeowners. So that's extremely
6 important.

7 Access to affordable housing is
8 something that is very important in
9 Rochester, as it is in other large cities.

10 People need to make sure that they are living
11 in dwellings that are suitable. A lot of
12 folks live in dwellings that are not suitable
13 for animals, and they're forced to live in
14 those properties. So we want to make sure

15 that we have access to good-quality
16 affordable housing. Rochester, I think we've
17 led the nation in building some of those
18 properties, so that's important.

19 But also, you know, I'm a banker by
20 profession; homeownership is extremely
21 important to me in Rochester. Homeownership
22 is extremely low in Rochester; it should be
23 much higher. One of the things that we're
24 looking at is incentivizing homeownership.

1 So any support from the state in order to
2 increase homeownership in our cities is
3 extremely important.

4 We know that that, along with business
5 ownership, helps -- helps with the American
6 dream. I mean, home ownership and business
7 ownership are ways in which we can sustain a
8 real middle class in our country. I always
9 say homeownership is like college. I'm not
10 saying everybody has to go, but they should
11 have the opportunity to. And so we have to
12 be able to do both simultaneously.

13 And there's some people who don't want
14 to have homeownership in upstate New York.

15 That's fine. But we need to make sure that
16 they have access to good rental or leasing
17 options.

18 In terms of food insecurity, a major
19 challenge. I just joined Mayors Ending
20 Hunger, which is extremely important. I'm
21 always worried when our students are out of
22 school, because for so many of them their
23 best meals are when they are in school. So
24 we need to continue to find ways to make sure

1 that our residents have access to nutritious
2 meals and access to food and that we are
3 doing everything in our power to erase food
4 deserts in our community.

5 So any help from the state in that
6 area, Assemblymember Meeks, would be greatly,
7 greatly appreciated. Appreciate from you and
8 your colleagues.

9 ASSEMBLYMAN MEEKS: Thank you.

10 CHAIRWOMAN WEINSTEIN: Back to the
11 Senate.

12 CHAIRWOMAN KRUEGER: I think Senator
13 Savino to close for the Senate.

14 SENATOR SAVINO: Thank you. Thank

15 you. Mayor, it's very nice to meet you.

16 So I'm going to ask you the same

17 question I'm going to ask all the other

18 members.

19 As we know, cybersecurity risks and

20 ransomware attacks are the new national

21 security threat of our time. And what I'm

22 wondering is, is the State of New York doing

23 enough to help our local governments, our

24 small municipalities, our school districts

1 deal with the ever-present threat of

2 ransomware attacks.

3 We saw last year during the pandemic

4 school district after school district were

5 hit with ransomware attacks, many of them

6 incapable of responding, being able to secure

7 their data and get it -- their encrypted

8 data, get it back, and there's a concurrent

9 threat.

10 So what can the State of New York do

11 to assist the City of Rochester and its

12 school district to respond to this and become

13 more secure so that we are not so vulnerable

14 to these ransomware attacks?

15 MAYOR EVANS: Exactly. I think -- I
16 remember when Atlanta had their issue. I
17 have nightmares about this all the time.
18 This is what keeps me up at night. Because
19 if any of that happened to us, you know, we'd
20 be in trouble because we are so reliant on
21 technology and our computers.
22 I think one of the biggest things and
23 simplest things the state can do is -- are
24 two things: Technical assistance and

1 guidance that they may have as it relates to
2 cyber, cybersecurity. I'd love to see a
3 coalition of particularly like-minded cities,
4 with the support of the state, leading some
5 type of cybersecurity task force that works
6 with our chief technology officers to make
7 sure that this isn't happening.

8 And then any funds that we could use
9 to dedicate for cybersecurity. For example,
10 if we got an increase in AIM aid, I'd be able
11 to spend a lot more money on cybersecurity
12 issues.

13 But this is -- Senator Savino, I'm
14 glad you asked this question. This is a

15 major, major issue. It's a sleeper issue.

16 It's one of those things that you don't worry

17 about until it happens. It's like when your

18 lights go out, right?

19 Same thing with our lead pipe program.

20 We don't worry about lead or any of that

21 stuff until a child gets lead poisoning. We

22 don't worry about cyberattacks until we go to

23 log in on our computer and the director of

24 finance is hearing, all right, listen, we're

1 holding you for ransom and no one's going to
2 get paid this coming Friday -- or we've got
3 access to all of your residents' information
4 and if you don't pay us, we're going to put
5 it all out there on the internet.

6 This is a very, very serious issue.

7 It's a national security issue at the
8 national level. But for us locally, it's
9 also a major, major issue. There are people
10 who work around the clock that have jobs like
11 we have, but their jobs are to figure out how
12 they can be -- how they can be -- how they
13 can be crooks, how they can shake us down for
14 money using technology. So this is a major,

15 major issue.

16 And I think your question deserves

17 even more attention, and it's something that

18 I would be very open to state help on as well

19 as federal help. But we should not dismiss

20 it and think that it couldn't happen to us,

21 because there are people who are figuring out

22 how they can get in here and shake us down.

23 SENATOR SAVINO: Thank you for your

24 response. I certainly will be reaching out

1 to all of the mayors and the Conference of
 2 Mayors to talk about this issue going
 3 forward.

4 There is money available under the
 5 infrastructure act for states and local
 6 governments to apply, and we need to tap into
 7 that. So thank you for your response.

8 MAYOR EVANS: Thank you, Senator.

9 CHAIRWOMAN WEINSTEIN: We have
 10 Assemblyman Mamdani I believe is our last --
 11 three minutes, our last Senator. I'm sorry,
 12 our last Assemblymember.

13 CHAIRWOMAN KRUEGER: Our last whoever.

14 CHAIRWOMAN WEINSTEIN: Zohran, go

15 ahead.

16 ASSEMBLYMAN MAMDANI: Thank you very

17 much, Chair Weinstein.

18 Thank you, Mayor Evans.

19 MAYOR EVANS: Thank you.

20 ASSEMBLYMAN MAMDANI: I know we

21 haven't had the pleasure of meeting as yet,

22 but I do just want to thank you for the

23 colleagues that you sent here from Rochester.

24 It's a great pleasure to serve with them.

1 I'm going to jump into some questions.

2 I was wondering if you could speak a little

3 bit about the homeless crisis in Rochester

4 and how expanding HONDA to upstate would

5 impact Rochester. And furthermore, in that

6 line of questioning, are there specific

7 hotels in Rochester that the city and

8 nonprofits could acquire with a HONDA

9 expansion?

10 MAYOR EVANS: Yeah, I think HONDA is

11 absolutely needed in Rochester. We would

12 welcome it. I believe that there are various

13 old hotels that we would be able to find that

14 could serve -- that could definitely serve

15 homeless folks in Rochester. With
16 compassion. Because, you know, we've had
17 people in Rochester sleeping on garage floors
18 with exhaust fumes coming in. And no one
19 should have to live that way. It's not
20 right, period.

21 I worked with our county executive to
22 clear out that garage and get people placed
23 in good housing, and we need to be able to do
24 that.

1 So, Assemblyman, expanding HONDA to
2 upstate and in Rochester would be great. I
3 think that we have a good collaborative
4 effort with our homeless union, all of our
5 homeless providers working together to try to
6 find suitable housing for our folks who are
7 unhoused in the community, and HONDA would go
8 a long way in helping us continue to fulfill
9 that mission of making sure that people are
10 living in places where their dignity -- this
11 is important to me. My father worked with
12 not only homeless folks but folks who were
13 homeless and had mental health issues for
14 almost my entire life, and so I grew up

15 knowing how important this issue is.

16 And if a person is housed, they're

17 more likely to graduate from high school,

18 they're more likely to retain their job,

19 they're more likely to have good

20 relationships. This is really a human rights

21 issue when you look at what many of our

22 homeless folks are going through.

23 And then if we can pair that --

24 because if we get HONDA and we have them in a

1 place, we can then push in the mental health
2 services. Because if a person doesn't have a
3 place to live, they're not interested in
4 talking about mental health, they're thinking
5 about their most important need, which is
6 where are they going to sleep at night or
7 getting a warm meal.

8 So we have to address the housing
9 part; then we can address the drug -- if they
10 have a drug problem or if they have a mental
11 health issue or if they have an educational
12 gap or any of those other things. If we
13 can't address the housing part, then we're
14 just wasting our time. So this is why HONDA

15 is so important to upstate New York, and I
16 hope that we can find ways where cities like
17 Rochester and others can take advantage of it
18 in order for us to really make sure that we
19 are treating people with dignity, respect and
20 the care that all of us are serving -- why
21 all of us serve in order to make sure our
22 people are living with that.

23 ASSEMBLYMAN MAMDANI: Mayor, because I
24 have just eight seconds here, I'm going to

1 try and use them very quickly. But can you
2 talk about, on the ground, how it would help
3 Rochester if the state passed good cause
4 eviction?

5 MAYOR EVANS: I think it would give us
6 the opportunity -- and we wouldn't be
7 threatened with lawsuits if we were to pass
8 it at the local level, because the state
9 would be able to preempt it. So it would
10 give us some -- we'd be able to take some
11 guidance from you all.

12 ASSEMBLYMAN MAMDANI: Thank you so
13 much, Mayor Evans.

14 MAYOR EVANS: Thank you.

15 CHAIRWOMAN WEINSTEIN: Senator

16 Krueger, do you have --

17 CHAIRWOMAN KRUEGER: No, I think we

18 have completed on the Senate side. And it

19 was very nice to meet Mayor Evans, and I wish

20 him the very best up there in Rochester.

21 CHAIRWOMAN WEINSTEIN: We do have an

22 additional -- we'd like to turn the mic over

23 to the Majority Leader, Crystal

24 Peoples-Stokes.

1 CHAIRWOMAN KRUEGER: She's back.

2 ASSEMBLYWOMAN PEOPLES-STOKES: Thank

3 you. Thank you so much. I am back --

4 {unintelligible}.

5 But Mr. Mayor, what an honor to get a

6 chance to see you. I want to congratulate

7 you, I haven't had the opportunity to do

8 that. I can almost kind of tell that you're

9 taking Rochester in the right direction, and

10 that is a good thing.

11 I appreciate your comments on being

12 desirous of working collectively with upstate

13 mayors or Western New York mayors. I think

14 that's a great strategy. I look forward to

15 working with you on that. And I definitely

16 honor and appreciate your comments on bail

17 reform. Most everybody comes from an

18 emotional perspective as it relates to bail.

19 They somehow feel like if you lock everybody

20 up with or without a trial, that that's going

21 to solve the crime problem. It didn't solve

22 it in the past, and it's not going to solve

23 it in the future.

24 So I appreciate your desire to see the

1 data that actually proves that people who are
2 having the opportunity for pretrial release
3 are the ones who are actually creating more
4 crime. I think once you do see that data,
5 much like everybody else that honors the
6 value of collecting data and reviewing it,
7 you will see that bail reform does work.
8 What doesn't work is a judiciary who won't
9 take the responsibilities that go with
10 {inaudible}.

11 No one says that anyone with a gun
12 should have access to get out on bail. No
13 one says that. It's against the law. And if
14 it's against the law already, no matter what

15 court you're with, that should be enforced by

16 the judge.

17 So I just want to honor you for your

18 thoughts on bail reform by asking for

19 detailed data before you make decisions about

20 how it may or may not be beneficial.

21 MAYOR EVANS: Thank you. Thank you,

22 Majority Leader. I appreciate that.

23 You know, my background is in -- was

24 in finance, so we always look at data before

1 we make any decisions on anything. So I

2 appreciate those comments.

3 And I look forward to seeing you in

4 person in Buffalo and working with your city

5 on issues of mutual concern. It's always so

6 good to see you.

7 ASSEMBLYWOMAN PEOPLES-STOKES: We'll

8 have to make that happen soon, sir. I have a

9 couple of things I'd like to discuss with

10 you.

11 MAYOR EVANS: Well, I'd love it. I'm

12 always looking forward to head to Buffalo for

13 my -- Rochester has good buffalo wings as

14 well, but I always look forward to heading to

15 those spots in Buffalo for that as well.

16 ASSEMBLYWOMAN PEOPLES-STOKES: It will

17 be my pleasure. Thank you so much,

18 Mr. Mayor.

19 MAYOR EVANS: Thank you.

20 ASSEMBLYWOMAN PEOPLES-STOKES: Thank

21 you, Madam Chair.

22 CHAIRWOMAN WEINSTEIN: Surely.

23 So thank you, Mayor Evans, for being

24 with us. We look forward, along with our

1 Rochester colleagues, to working with you as
2 we craft the final budget.

3 MAYOR EVANS: Thank you.

4 CHAIRWOMAN WEINSTEIN: Now we're going
5 to call on the City of Yonkers, the
6 Honorable Mike Spano, mayor. There he is.

7 MAYOR SPANO: Well, good afternoon,
8 Chairwoman Weinstein, Chairwoman Krueger,
9 members of the Senate and Assembly, my
10 friends and colleagues. Our Yonkers

11 delegation, of course: Senate Majority

12 Leader Andrea Stewart-Cousins; Senator

13 Shelley Mayer; Assemblymember Nader Sayegh;

14 and Assemblymember Gary Pretlow. And thank

15 you again for welcoming me here, or at least

16 to the Zoom call.

17 Similar to years past, I will submit

18 to you the financial needs of Yonkers. I'll

19 try to do it quick, because you've heard me

20 over and over again. But I do so now as

21 New York State's third largest city, as was

22 just announced -- I guess it was announced by

23 the Census. So while going fourth, I just

24 want to remind everybody we are third, and so

1 we're proud of that fact.

2 And the issues that have been the

3 issues for our city for a while continue to

4 be. You know, we'll talk about the schools,

5 we're talking about our need for additional

6 AIM aid. I'm glad that there's a discussion

7 happening about cyberattacks. And of course

8 casino gaming is always a favorite.

9 You know, the years of inequities

10 that we've always talked about with our

11 schools have now started to go past us. But

12 we all know that there are many years where

13 our kids kind of suffered from many

14 deficiencies in services. So we want to

15 provide equity in services to our students so
16 that we can mirror the successes that we've
17 started to see in our classrooms.

18 Back in 2012, our graduation rate was
19 72 percent in the City of Yonkers. And today
20 the Yonkers graduation rate is at 90 percent,
21 which exceeds New York State's average. It's
22 a number that sounds a lot like a suburban
23 number than an urban number, but something
24 that we're very, very proud of. And we've

1 continued to do what we can to move a

2 district that has -- that is -- over

3 70 percent of our kids live at or below the

4 rate of poverty, but we are still making it

5 work.

6 Some of the investments that we'd like

7 to see created or enhanced: Our Career and

8 Technical Education Program, which we think

9 will be a feeder program to our local

10 workforce. The growing population that we've

11 had over the past 10 years means that we need

12 more equitable and inclusive funding to

13 support the new families that are now living

14 here, including greater investments in our

15 UPK and multilingual learners programs.

16 The formula, as we start to fund that

17 formula -- and I applaud Governor Hochul for

18 her proposed budget. I also applaud each and

19 every one of you in the Legislature because

20 you started that last year. By fully funding

21 the formula, we can get to do the things that

22 we need to do. But at the same time, we ask

23 that we continue to look at the formula to

24 see where we can tweak it in such a way that

1 it can help the people and the residents of
2 our city.

3 The Regional Cost Index. The City of
4 Yonkers, as you know, which just borders with
5 the Bronx, is an upstate regional cost. We
6 are not in the New York City/Long Island
7 regional cost, and we should be. And we ask
8 that that's something that you look at.

9 And if you were able to make that
10 change by correcting the RCI, just doing that
11 could mean an additional \$18 million more in
12 Foundation Aid for the City of Yonkers. But
13 we can again -- I know through Q&A you may
14 ask me some other questions, but I'll just

15 touch on that a bit.

16 Casino gaming could be a big win for

17 Yonkers and for the region. Yonkers Raceway

18 contributes about \$300 million a year to

19 offset the cost of education in New York

20 State. Since its inception, it has already

21 contributed over \$4 billion -- that's

22 4 billion, with a B -- to help offset

23 education in -- the cost of education in

24 New York State. It means thousands of jobs,

1 both direct and indirect.

2 It also is expected that if a license
3 is granted to Yonkers to allow for full
4 gaming, that we could see as much as an
5 additional \$1 billion investment. That's
6 pretty significant for the region,
7 significant for Yonkers.

8 And I also want to throw out there,
9 and I think it's important, that we always
10 remember that, you know, here in Yonkers, in
11 our region, we are so close to the swamplands
12 of New Jersey, and they could very easily put
13 a casino there. When that happens -- which I
14 believe it will happen at some point -- it

15 could have an effect on the operations of,
16 let's say, Yonkers and Westchester County,
17 which is right in the heart of our area.

18 And so what we want to do is we want
19 to jump ahead of that. We know, by every
20 model that has been put forward, gaming works
21 in this facility and gaming will -- it's a
22 sure bet. It's about as sure a bet as you're
23 going to come up with. MGM Resorts is
24 expected to invest another \$400 million in

1 private capital just as part of their
2 Phase 1.
3 So I also ask that as you're
4 formulating the licensing and the tax
5 structure that will surround that, remember
6 that the amount of money that goes to the
7 host community -- and Yonkers has the benefit
8 of getting about \$19.6 million for host
9 community aid associated with Yonkers
10 Raceway -- that you keep that in mind when
11 you're putting forth the tax structure,
12 because that has been a real driver for the
13 taxpayers of Yonkers to offset any lack of
14 funding that we may end up with in any other

15 place in our budget.

16 I want to say thank you to the

17 Legislature for giving us the ability -- and

18 especially Shelley Mayer -- to build three

19 new schools. We have one of those three new

20 schools being built right now as we speak.

21 That is huge, considering that the city has

22 an oversaturation -- or an under-classroom-

23 capacity of about 4500 students. And so we

24 need to build new schools.

1 We also need to repair the schools
2 that we currently have. Yonkers has about
3 \$600 million in repairs that need to be made
4 to our schools to bring them up to state
5 standards. We've already, just in the past
6 10 years, invested over \$300 million in
7 repairs to the schools.

8 But the current methodology as it's
9 applied relies too heavily on the local
10 property tax share and makes it almost
11 impossible for us to achieve the goal of
12 repairing the schools and putting our kids,
13 frankly, in a place that -- you know, that --
14 across the river on either side of the city,

15 or on the other side of the tracks on either

16 side of the city that we would see our kids.

17 But despite the fact of the challenges

18 that they have, we continue to do what we

19 need to do to move our community forward.

20 So I ask that when you're looking at

21 reimbursements to -- for capital needs that

22 you take another look at Yonkers and see if

23 you're able to either change those -- the

24 methodologies and offer a greater

1 reimbursement to the school district, or to
2 make a capital grant available to Yonkers
3 that could be separate, that could actually
4 help to offset the local investment that
5 needs to be made in order for us to kind of
6 jump-start the process, get our schools put
7 in a place where they should be for our kids.

8 The partnership that we have with
9 New York State is real. As you know,
10 Governor Hochul outlined her Executive Budget
11 to include investments in our state from
12 clean energy, healthcare, COVID relief to
13 infrastructure. And I want to applaud her
14 again for what she has done. But over the

15 years, AIM aid -- 2011 was our last kind of
16 big year. 2012, our AIM aid was reduced
17 \$20 million because of the spinup, and we
18 have remained flat ever since.

19 If you just allow for the 2 percent
20 growth that you have allowed in your own
21 budgets to be applied to the AIM aid to this
22 particular local government, we would have
23 actually received another \$126 million over
24 that same period of time.

1 So -- now remember, we have actually
2 increased the amount of money we send to
3 Albany: \$268 million via personal income tax
4 and sales tax have been provided to New York
5 State. But our AIM aid continues to be flat.

6 Aside from the Yonkers building of a
7 new school, the City of Yonkers also remains
8 the only Big 5 that pays 100 percent of the
9 school district's debt service, which is
10 above and beyond, as you know, the legal
11 requirements of the maintenance of effort.

12 So flat AIM and staying within the tax cap
13 makes it very difficult for us to even have
14 the ability to even put additional funding

15 into our own educational system.

16 Our budget continues to grow each

17 year. Our workforce, as you know, is

18 74 percent of our total budget. And in the

19 past 12 years our fringe benefits have grown

20 by 76 percent or \$74 million. Just the

21 family plan for our health coverage has gone

22 up 12.5 percent all by itself. So additional

23 AIM aid would be really important to our

24 city.

1 We talked about ransomware; I'm glad
2 the Senator brought that up. It is, too,
3 something that I lose sleep over. Yonkers
4 was hit with a ransom attack just a few
5 months ago. We had to make some immediate
6 changes and immediate, you know,
7 appropriations to our budget. We had to make
8 a \$600,000 investment with an \$800,000 annual
9 investment to the -- just to deal with our
10 hardware and software. It's not easy, and a
11 lot of people didn't hear about the ransom
12 attack because, you know, we're told from the
13 experts, right off the bat: Well, don't brag
14 about it because if you brag about having a

15 ransom attack and beating it, then you're
16 going to just incite those who want to do it,
17 give them a greater challenge and get them in
18 there.

19 And so clearly at the end of the day
20 the ransom attacks are going to continue.
21 And I think what local governments need --
22 what we need -- is the deep pocket, in this
23 particular case the State of New York, to
24 have robust funding and a robust program that

1 allows us maybe to piggyback on in order for
2 us to be a little more nimble and deal with
3 ransom attacks when they happen, reduce the
4 incidence of ransom attacks. Because we all
5 know that no matter how good we are, we
6 probably still will have a ransom attack, but
7 I think that we can reduce the chances of it
8 happening.

9 CHAIRWOMAN WEINSTEIN: Mayor Spano,
10 you've gone quite a bit over the time.

11 MAYOR SPANO: Oh, am I? I'm sorry.

12 I'm good.

13 CHAIRWOMAN WEINSTEIN: And maybe

14 Senator Savino doesn't need to ask you a

15 question now that you've answered her

16 question.

17 But we'll send it over to --

18 MAYOR SPANO: Oh, you're right,

19 Assemblywoman, I apologize --

20 CHAIRWOMAN WEINSTEIN: No problem. We

21 actually do have an Assemblymember,

22 Assemblyman Otis, to ask a question.

23 ASSEMBLYMAN OTIS: Thank you,

24 Mr. Mayor. Nice to see you.

1 MAYOR SPANO: Nice to see you,

2 Assemblyman.

3 ASSEMBLYMAN OTIS: On the ransomware

4 situation, what kind of -- when you had your

5 incident, you have, I assume, an insurance

6 carrier that also brings in some expertise?

7 Or who did you use to provide the technical

8 expertise to position how you would respond

9 and defend in that situation?

10 MAYOR SPANO: We don't have an

11 insurance policy on that, but we do have,

12 obviously, our in-house technology team.

13 They've been very good at dealing with the

14 matter and keeping it contained. And so we

15 are now looking at insurance options now, but
16 we know they're expensive options. There are
17 also, you know, some fears out there that,
18 you know, if you're on this list of having
19 this type of insurance, will you be more
20 susceptible to taking a hit, will they pick
21 your community as the one they want to come
22 to.

23 And so there are lots of questions
24 here, lots of -- you know, like I said. And

1 we have to change our own system to a
2 third-party authorization, right? So, you
3 know, making sure that if you want to log
4 onto our computer, that they send a code to
5 your cellphone and then you can get on.
6 Right? And making sure that we have the
7 hardware in place that we need, that we've
8 upgraded all of our hardware to make sure
9 that we have the most up-to-date hardware
10 available.

11 But it's -- but despite the fact that
12 we -- you know, and I think I was just
13 talking and it just reminded me, we were
14 talking about two-factor authorization, which

15 we hear would solve most of our problems. We
16 are moving in that direction, making those
17 investments. But I really think that if the
18 state had a robust -- I mean robust,
19 deep-pocket approach where they can use the
20 collaborative numbers of all these different
21 communities, together with them, it might
22 reduce our chances down to a minimum.

23 ASSEMBLYMAN OTIS: Thank you. And,
24 you know, it sounds like you were fortunate

1 that you had some knowledgeable people
 2 in-house that were able to guide you and knew
 3 who to call to get information, because you
 4 defended that well. And you think that a lot
 5 of smaller municipalities are -- may not be
 6 positioned to have those kinds of skills on
 7 board.

8 So congratulations on how you handled
 9 that, though, and appreciate the answers to
 10 the question.

11 MAYOR SPANO: Thank you so much.

12 Still playing hockey, I hope?

13 ASSEMBLYMAN OTIS: You know, you have
 14 goal-tending children, I'm a goal tender. So

15 it's all good.

16 Thank you, Mr. Mayor.

17 CHAIRWOMAN WEINSTEIN: To the Senate.

18 CHAIRWOMAN KRUEGER: Thank you.

19 You know, I think Senator Cooney had

20 to disappear for a minute, so let's take

21 Senator Shelley Mayer from Yonkers.

22 MAYOR SPANO: Hello, Senator.

23 SENATOR MAYER: Hello, Mr. Mayor.

24 Nice to see you --

1 MAYOR SPANO: Nice to see you.

2 SENATOR MAYER: -- from up here in

3 Albany. Thank you for your testimony.

4 I have a few quick questions; I don't

5 have much time.

6 Do you know what share of the school

7 district's budget is paid for by the City of

8 Yonkers, what percentage?

9 MAYOR SPANO: Just give me one second.

10 So 42 percent of the city's budget,

11 42 percent --

12 SENATOR MAYER: I think you mean

13 42 percent of the city's budget goes to

14 education. But of the school district's

15 budget, what percentage is paid by the city?

16 Because that's something -- that's a

17 comparison with other districts. If you

18 know.

19 MAYOR SPANO: I'm sorry, Senator, give

20 me one second.

21 SENATOR MAYER: Sure.

22 MAYOR SPANO: We pay -- okay, so we

23 pay -- all right, 42 percent of the budget is

24 for education, right?

1 SENATOR MAYER: Yup.

2 MAYOR SPANO: But our tax -- what
3 comes out of our tax levy is 70 percent for
4 everything --

5 SENATOR MAYER: Right, but that's
6 different than the question I'm asking you.
7 Of the school district's budget, which I
8 believe is 680 million, approximately what
9 percentage of that is paid by the city? It
10 just -- you can get back to me.

11 MAYOR SPANO: 32.8 percent.

12 SENATOR MAYER: Okay, thank you. And
13 has that been fairly constant or has that
14 changed over the last year?

15 MAYOR SPANO: It's about constant:

16 34, 33.

17 SENATOR MAYER: Okay. A quick

18 question on Empire Casino and MGM. And thank

19 you for your leadership and the whole

20 coalition that's hopefully going to get there

21 this year.

22 You have in your testimony that the

23 state's legislation should require that the

24 public schools share a portion of the

1 benefit. Are you asking for that to be
2 incorporated in legislation, as opposed to
3 sort of an agreement between the city and
4 MGM?

5 MAYOR SPANO: Either way, Senator. I
6 mean, I think that -- I'm the mayor now, and
7 that's always been -- as you remember when I
8 was in the Legislature, the casino was always
9 there for the benefit of the local school
10 district in terms of any additional aid that
11 came out of the casino.

12 SENATOR MAYER: Right.

13 MAYOR SPANO: That's -- I think that's
14 important.

15 I think that if we -- you know, I have
16 two years left, and I don't plan to be here
17 after two years. So I think if we had that
18 protection in law, that we don't have to
19 worry about in future administrations, you
20 know, maybe diverting those dollars away from
21 education, which I think would be a -- would
22 not be traditional with what we have set in
23 motion.

24 SENATOR MAYER: No, agreed.

1 Lastly, very quickly, you mentioned
2 additional tax revenues sent to the state by
3 development and increased personal income tax
4 in Yonkers. What about the City of Yonkers
5 personal income tax? Has that gone up as a
6 result of increased development?

7 UNIDENTIFIED YONKERS OFFICIAL: Yes.

8 MAYOR SPANO: Maybe give me the
9 number. It's a little harder for us because
10 I can't swing the camera over --

11 SENATOR MAYER: I know, I'm just --

12 MAYOR SPANO: Sorry about that,
13 Senator.

14 We'll have to get you a specific

15 number. But yes the numbers are up, and they

16 are performing very well.

17 SENATOR MAYER: Okay. I'd love to see

18 the increased Yonkers personal income tax and

19 any Yonkers sales tax as a result of

20 increased development.

21 MAYOR SPANO: We will make that

22 available to you, Senator.

23 SENATOR MAYER: Thank you. Thank you

24 very much, Mr. Mayor. Look forward to seeing

1 you at home.

2 MAYOR SPANO: Nice to see you,

3 Senator.

4 CHAIRWOMAN KRUEGER: Thank you.

5 Back to Assembly.

6 CHAIRWOMAN WEINSTEIN: Yes, our Cities

7 chair, Assemblyman Bronson -- Braunstein, I'm

8 sorry, for 10 minutes.

9 ASSEMBLYMAN BRAUNSTEIN: Yes, I get

10 mixed up with Harry Bronson all the time.

11 Don't worry about --

12 CHAIRWOMAN WEINSTEIN: No, no,

13 Braunstein. Ten minutes as the chair.

14 ASSEMBLYMAN BRAUNSTEIN: I'm not

15 taking 10 minutes.

16 Good to see you, Mayor Spano.

17 I just want to follow up on what

18 Steve Otis was talking about, and

19 Senator Savino has been bringing it up, about

20 the cybersecurity issues. And you talked

21 to -- that you're exploring insurance

22 options.

23 Does your team have an estimate about

24 how much it would cost to insure the city

1 against a future cyberattack?

2 MAYOR SPANO: We don't know what it
3 would have cost us as far as in terms of what
4 the cyberattack was going to cost us, because
5 we were lucky enough not to open the email, I
6 guess, when it came in. Right? But it still
7 affected us pretty deeply and it cost us
8 600,000 just to take care of the
9 infrastructure that we had to do to kind of
10 go back in time and erase those moments and
11 try to move forward.

12 The question you're asking me is what
13 do you think it would cost us in terms of
14 insurance or what would it cost us in terms

15 of repairs?

16 ASSEMBLYMAN BRAUNSTEIN: Insurance.

17 Like if you were exploring moving forward to

18 insure yourself against a future cyberattack,

19 does the city have an estimate of how much

20 that would cost?

21 MAYOR SPANO: I would imagine we do,

22 Mr. Chairman, and I will get that number to

23 you.

24 ASSEMBLYMAN BRAUNSTEIN: Okay.

1 because I'm sure other cities -- it's a new
2 phenomenon, and I'm sure other cities are,
3 you know, looking into how to protect
4 themselves, and insurance is an option. And
5 it's just a question of is this something
6 that -- an expense that other cities are
7 going to have to undertake moving forward.

8 MAYOR SPANO: I will tell you,
9 Mr. Chairman. When I was at the National
10 Conference of Mayors -- and this was very
11 much a part of their discussions -- it was
12 made very, very crystal clear to us all that
13 insurance is something that we ought to be
14 doing. Also they -- they also talked about

15 the two-factor authorization. So those are
16 two key components that they were looking for
17 all the mayors to do, and that's what we're
18 in the process of trying to take care of.

19 ASSEMBLYMAN BRAUNSTEIN: Okay. Okay,
20 thank you. Thanks, Chair Weinstein.

21 CHAIRWOMAN WEINSTEIN: To the Senate.

22 CHAIRWOMAN KRUEGER: Thank you.

23 Senator John Liu.

24 SENATOR LIU: Thank you, Madam Chair.

1 And welcome, Mr. Mayor.

2 MAYOR SPANO: Hi, Senator.

3 SENATOR LIU: I hear all about you all
4 the time from my great colleague Senator

5 Mayer. So I appreciated her question.

6 My only question to you really is the
7 Governor talks about transit-oriented
8 development. And I think that that would
9 affect part of Yonkers, if not a large part
10 of Yonkers. Is that correct?

11 MAYOR SPANO: Yes.

12 SENATOR LIU: Is that something that
13 your administration is in favor of? Or do
14 you think it might have some restrictions on

15 the part of what the City of Yonkers could

16 do?

17 MAYOR SPANO: No, I think when you're

18 a city that has -- we have, I think, four or

19 five train stations in our left, four or five

20 train stations on our right, this is -- we

21 have development being built all along those

22 train stations. Transit-oriented is

23 something that we support and want to see

24 happen.

1 We want -- you know, it's just that,
2 you know, when you're a city of 200,000
3 people built on 18 square -- what is it,
4 18 square acres or something like that? But
5 it's where we're kind of running out of
6 space. You know? We're not Manhattan, and
7 we don't build that high. But we're running
8 out of space. So when we do these things,
9 we're very careful to make sure that, you
10 know, we can accommodate the people,
11 accommodate the traffic and be able to do
12 this.
13 Because, you know, at the end of the
14 day, we want the housing, we want people to

15 be able to afford to live in our city, and we
16 want them to be able to travel to places like
17 New York if they want to, you know, work or
18 play.

19 SENATOR LIU: Okay, so it sounds
20 like -- it sounds like there's a little bit
21 of mixed feeling there, Mr. Mayor.

22 MAYOR SPANO: No. We have supported
23 it, and we'll continue to support it, yes.
24 No, and we have. And we'll --

1 SENATOR LIU: All right, great.

2 Thanks for that clarity. Mr. Mayor --

3 (Overtalk.)

4 MAYOR SPANO: Sorry about that,

5 Senator. If I wasn't clear, I apologize for

6 that. But I was trying to tell you that

7 yeah, we have supported it, it's just that

8 we're running into other issues that -- of

9 space, and just trying to make it all work.

10 SENATOR LIU: You know, in New York

11 City -- which is your sister city to the

12 south -- in New York City we have -- we're

13 always looking to create more affordable

14 housing, and part of that affordable housing

15 is something called inclusionary zoning,

16 which I'm not sure you have in Yonkers. I'd

17 be interested if you do have that.

18 If we had transit-oriented development

19 like the Governor was envisioning outside

20 New York City, if we had that in New York

21 City, that actually impairs the ability of

22 the City of New York to conduct inclusionary

23 zoning agreements in order to build

24 affordable housing. In other words, it's

1 just a development giveaway to developers.

2 But you don't view it as such in Yonkers?

3 I mean, people who own property near

4 those Yonkers train stations, their

5 properties essentially skyrocket in value

6 because of the Governor's proposals even

7 though there's no -- not necessarily any

8 requirement that they build affordable

9 housing.

10 MAYOR SPANO: Well, we're looking at

11 that as well. I mean, that's obviously very

12 important to us. But it's -- being that

13 we're so close to New York City, we do have a

14 lot of commuters who kind of like drive into

15 Yonkers and then go to New York City. And so

16 all those are areas that are of concern to us

17 because we're -- we try to figure out how to

18 make it all work.

19 And one of the ways that you could --

20 that a deep pocket could help us, like

21 New York State, is to help build even parking

22 facilities at these train stations. You take

23 a place like Yonkers that has -- if you

24 really have -- if you built multi-tiered

1 structures of parking, could really go a long
 2 way towards making the programs that we love,
 3 that are near and dear to us, happen if there
 4 was that type of parking.

5 SENATOR LIU: Okay. Thank you very
 6 much. Thank you, Madam Chair.

7 CHAIRWOMAN KRUEGER: Thank you.

8 I think we have run out of Senators.

9 CHAIRWOMAN WEINSTEIN: Similarly,
 10 Assemblymembers. So thank you --

11 CHAIRWOMAN KRUEGER: Oh, I'm sorry,
 12 Senator Savino did you -- was your question
 13 answered?

14 SENATOR SAVINO: Well, I'm just happy

15 to hear Mayor Spano acknowledge the
16 challenges of cybersecurity risks and the
17 necessity for it, so I don't have to ask him
18 because he already understands it.

19 I would like to make the one point,
20 though -- I think it was raised by
21 Assemblyman Braunstein -- the issue of cyber
22 insurance. While it's certainly a tool in
23 the toolbox, it is not a panacea for risks.
24 What we really need -- and I think Mayor

1 Spano's already indicated that -- is tools
2 from the state, more assistance, some funding
3 and, most importantly, employee training.

4 It is critically important that
5 employees understand the necessity for
6 multifactor authentication, because breaches
7 happen at the desktop, at the laptop by the
8 staff. And that's critically important. And
9 that's where I think we can play a role,
10 working with municipalities and local
11 governments, to provide the tools that are
12 necessary.

13 Insurers are beginning to refuse to
14 pay out on many of these ransomware claims

15 because of failure to provide the types of

16 training that is necessary to prevent it.

17 So thank you for acknowledging the

18 risk, and I look forward to working with you

19 on it.

20 CHAIRWOMAN KRUEGER: Thank you --

21 MAYOR SPANO: And Senator, that third

22 component, you're a hundred percent right, is

23 employee training. We're working on that.

24 That's a key, key component. Because it was

1 by pure luck that we had one employee who was
 2 smart enough to catch the virus before they
 3 opened it up. And it was done on a Friday,
 4 so no one was here and we were able to
 5 isolate it and go from there. So --

6 SENATOR SAVINO: So important.

7 CHAIRWOMAN KRUEGER: Thank you.

8 And Assemblymember, I may have dissed
 9 Assemblymember Nader by a mistake.

10 CHAIRWOMAN WEINSTEIN: Yes, that's
 11 what I was about to say.

12 CHAIRWOMAN KRUEGER: I apologize.

13 CHAIRWOMAN WEINSTEIN: Assemblyman
 14 Sayegh.

15 ASSEMBLYMAN SAYEGH: Yes, thank you

16 very much.

17 Mayor, always a pleasure. As you

18 know, we represent -- I represent Yonkers.

19 Yonkers is completely my district. And I've

20 got to say, I've got to compliment you on,

21 you know, not only Yonkers being the

22 third-largest city in the state, but that

23 really was as a result of an economic and

24 population growth development on the

1 waterfront.

2 And with that, of course, came the

3 needs to make sure we have adequate funding

4 for education. And I know in your

5 presentation you pointed to inequity in

6 educational funding and looked at a

7 possibility of changing the index. But we

8 want to see if there's a possibility of going

9 further and sponsoring legislation that

10 acknowledges that the population and social

11 demographics have changed dramatically in

12 Yonkers in urban ed. That's why we're

13 proposing legislation that as a start tells

14 the state to start using the 2020 data,

15 census data, rather than presently using the
16 2000. A lot of our kids in high school
17 weren't even born when we're using this data.

18 And the other that we're proposing is
19 to use the percentage of free and reduced
20 lunch that we feel is the best reflection of
21 the economic status of kids.

22 So I just wanted to, you know, lend --
23 I know your initiative is to promote more
24 funding, more equity. We support the

1 licensing for MGM, and we know that's
2 something that would benefit Yonkers and the
3 region.

4 But on the state funding inequity in
5 education, Mayor, is that something we should
6 lobby and should look at that addresses
7 Yonkers Public Schools and the long-term
8 needs?

9 MAYOR SPANO: Don't forget -- I mean,
10 if you look at the census, you know, we grew
11 20,000 people and we have two Assembly
12 districts, yours and Assemblyman Pretlow's,
13 that had to be reduced by 10,000 each.

14 ASSEMBLYMAN SAYEGH: Correct.

15 MAYOR SPANO: So -- and for a city of

16 200,000. So that's a significant change in

17 our population in that past 10 years.

18 And so, you know, while we beat out --

19 and I kid around about beating out Rochester

20 for third, but we're only there by like

21 400 people. So -- but like I said, it took

22 over 20,000 to get there.

23 These are really important because,

24 like I said, the percentage is so wide that

1 if you don't take that into consideration, it
2 could potentially lead to us not getting the
3 proper funding.

4 ASSEMBLYMAN SAYEGH: And the funding
5 from MGM, Mayor, how do you see that
6 benefiting Yonkers?

7 MAYOR SPANO: In so many different
8 ways. And, you know, while I'll brag and say
9 yeah, it's great for Yonkers, they'll be the
10 number-one employer of people in Yonkers, the
11 number-one taxpayer -- but they'll be the
12 number-one employer for Westchester and the
13 number-one taxpayer.

14 And so there is a huge benefit not

15 just to Yonkers, because it's Yonkers and
16 Mount Vernon and the Bronx that is going to
17 see the employment of people. And then
18 remember, you're talking about jobs that are
19 paying an average 30-something dollars an
20 hour. So you're not -- you know, these are
21 good solid positions in a region that
22 absolutely needs it. And, you know, Yonkers
23 has a very low unemployment rate, I think
24 it's 3.6 percent. But, you know, we all know

1 that there's underemployment in Yonkers.

2 While you have people working, because they

3 have to make ends meet, but they're working

4 two and three jobs to make it happen. With a

5 job -- one job at Yonkers Raceway, what that

6 could mean to a working family in our region,

7 it's priceless.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 ASSEMBLYMAN SAYEGH: Thank you very

10 much, Mayor.

11 CHAIRWOMAN WEINSTEIN: So thank you,

12 Mayor Spano, for being here.

13 And we are now going to go to the

14 mayor of the City of Syracuse, the Honorable

15 Ben Walsh. You have 10 minutes on the clock,

16 and feel free to speak now.

17 MAYOR WALSH: Great.

18 Thank you, Chair Weinstein,

19 Chair Krueger and members of the legislative

20 fiscal committees for inviting me to these

21 joint hearings to discuss the State Budget

22 again this year.

23 I'm grateful to the Legislature for

24 its support of Syracuse through profoundly

1 challenging times in the history of New York
2 State. The members of this Legislature have
3 staunchly stood by our city and its
4 residents. I'm particularly appreciative of
5 the members of our local delegation --
6 Senator Rachel May, Senator John Mannion,
7 Assemblyman Bill Magnarelli, Assemblywoman
8 Pam Hunter, and Assemblyman Al Stirpe.

9 From a fiscal standpoint, the events
10 that have unfolded over the past year have
11 been both surprising and fortunate. When I
12 last met with you, the prospects of federal
13 pandemic relief to state and local
14 governments were uncertain at best. The

15 projections for the impact of COVID-19 on
16 sales tax receipts were still bleak. And
17 because of those conditions, ominous
18 questions lingered over the reimbursement of
19 withheld AIM and the possibility of AIM cuts
20 going forward.

21 For Syracuse, the outcome has been
22 positive on each of these fronts. The
23 American Rescue Plan Act, or ARPA, delivered
24 vitally important funding to our city and our

1 state, enabling us to restore services and
2 invest in our recovery from the pandemic.
3 Sales tax revenue rebounded and far exceeded
4 anyone's expectations. With those
5 developments, the state reimbursed the AIM
6 withholding to cities, and this Legislature
7 maintained AIM at the current levels.
8 As the early stages of the pandemic
9 fueled financial uncertainty, my
10 administration and our Common Council acted.
11 We made hard cuts in city services,
12 implemented furloughs for city employees, and
13 reduced spending by more than 15 percent.
14 Because of those decisions, and the arrival

15 of federal aid, the restoration of AIM, and
16 the improvements in sales tax, we averted a
17 financial crisis.

18 We are implementing a comprehensive
19 ARPA recovery strategy that invests first and
20 foremost in programs to support children,
21 families and neighborhoods. The plan we are
22 following is also committing funds to
23 transform infrastructure and public spaces,
24 invest in jobs and economic opportunity, and

1 enhance government response and resilience.

2 Instead of facing a massive budget deficit,

3 we achieved a surplus in our last fiscal

4 year. Our fund balance is now again at a

5 level that is responsible for a city our

6 size.

7 But despite our positive near-term

8 financial position, the fundamental

9 structural deficit facing Syracuse still

10 exists. So without determined fiscal

11 discipline, continued economic growth and the

12 increased support of our state government,

13 Syracuse will be back in a state of fiscal

14 crisis within just a few years.

15 I'm heartened, though, by a recent
16 record of financial decision-making, growth,
17 and state partnership. I believe we will
18 become a fiscally sustainable city
19 government, but it's going to take a little
20 longer and we're going to need your continued
21 support.

22 Today I ask for New York State's
23 assistance on the road ahead for Syracuse in
24 the following critical areas that will lift

1 up the people we serve and our city
2 government: Violence interruption, housing,
3 transportation, infrastructure, and city
4 finances.

5 First, Syracuse, like other cities in
6 the state, has suffered from an increase in
7 violence. The lack of opportunity, eviction,
8 and trauma, exacerbated by the pandemic,
9 drive too many people to dangerous and
10 violent acts. Violent crime here was up
11 3 percent last year. Sadly, that means
12 Syracuse actually performed better on violent
13 crime and gun violence than many parts of
14 New York State and the nation.

15 To push back on violent crime and

16 improve neighborhood safety, we are soon

17 starting our fifth Police Academy class since

18 I became mayor. We're also investing in

19 anti-crime technologies like more

20 neighborhood street cameras and gunshot

21 detection. Syracuse needs more help, though,

22 with solutions that go after the root causes

23 of violent crime.

24 Our legislative and funding priorities

1 agenda for this year seeks funding for more
2 street-level violence interrupters through
3 the Division of Criminal Justice Services;
4 more trauma response to hospitals to help
5 victims of gun violence break free from
6 cycles of crime; additional funds to expand
7 teen outreach through our new and very
8 successful Syracuse Police Athletic League;
9 and resources to successfully launch our new
10 Police Junior Cadet Program to give training
11 and employment to recent high school grads
12 who want to be police officers but are too
13 young for the academy.
14 I'm proud to report that we are also

15 launching Syracuse's first Mayor's Office to
16 Reduce Gun Violence. We will model the
17 office after other successful programs and
18 are hiring for a director right now. I urge
19 the Legislature to commit state resources to
20 these and other violence intervention
21 efforts.

22 The pandemic revealed massive
23 frailties in housing in Syracuse and, as
24 we've heard today, across the state. We are

1 taking comprehensive actions to hold property
2 owners accountable for ensuring safe and
3 healthy living conditions for tenants. We
4 are pursuing the most extensive efforts to
5 build equal new housing in many decades in
6 Syracuse. Our Resurgent Neighborhoods
7 Initiative is building 200 new affordable
8 single- and two-family homes all across the
9 city. I'm proposing a major infusion of ARPA
10 dollars to build more units quickly.

11 We are also advancing a large
12 neighborhood and housing revitalization in a
13 section of Syracuse's South Side adjacent to
14 the Interstate 81 viaduct. This massive

15 effort will address a 27-block, 118-square-
16 acre area that includes more than 1,000 units
17 of public housing. Known as the Old 15th
18 Ward, the neighborhood and its residents have
19 been badly impacted by the 81 highway
20 bisecting their community.

21 The plan, known as Reconnecting the
22 New 15th Ward, focuses on redeveloping the
23 aging public housing properties with
24 energy-efficient, quality new public housing

1 and mixed-income units. The \$800 million
2 project is attracting public and private
3 investment from institutions and businesses
4 across Syracuse, and includes a push for a
5 HUD Neighborhood Grants program that would
6 realize up to \$300 million in public and
7 private investment and direct assistance.
8 The state's Division of Housing and Community
9 Renewal is an engaged partner in this effort
10 and has committed its support.

11 We applaud Governor Hochul's
12 commitment to investment in housing and urge
13 the Legislature to fully fund state programs
14 for quality affordable housing.

15 Regarding transportation, the

16 Governor's Executive Budget includes

17 significant funding to begin construction on

18 the Interstate 81 viaduct. The state and

19 federal environmental review process is

20 continuing, and we anticipate we will begin

21 on the preferred alternative, the Community

22 Grid, this year. It will remove the aging

23 viaduct that has scarred the center of our

24 city. We are working closely with community

1 stakeholders and the New York State
2 Department of Transportation to ensure we
3 create a more accessible and equitable city
4 and unlock the economic and community
5 development potential for this transformative
6 project.

7 We are also working with DOT, the
8 Federal Highway Administration, and community
9 partners to capitalize on the local workforce
10 opportunities this project will create,
11 especially for women, veterans, and people of
12 color. Syracuse has submitted one of the
13 first applications in the nation for the
14 federal SEP 14 local hiring initiative. Our

15 proposal includes hiring preferences for city
16 residents, especially those in areas that
17 struggle in poverty and have been
18 historically left behind.

19 Syracuse has welcomed additional
20 investment through the Department of Labor
21 for workforce development, and I urge the
22 Legislature to ensure more funding is
23 allocated so that we use this project and
24 others like it to transform not just

1 transportation, but people's lives.

2 Syracuse also needs strong state

3 support to improve our road infrastructure

4 citywide. Last summer we reconstructed more

5 than 30 miles of streets, compared to about

6 4 miles the year before I took office. We're

7 using more effective data-driven approaches

8 to prioritize streets for reconstruction, and

9 more effectively deploying the state and

10 federal aid we receive. The State Touring

11 Routes funding, which is included in the

12 Executive Budget again in fiscal year 2023,

13 played a critical role in increasing our

14 progress. I thank the Legislature for your

15 prior support of that funding and urge you to

16 continue it in this budget year.

17 In addition to investing in our roads,

18 we're working with the Central New York

19 Regional Transportation Authority to improve

20 public transportation. This is an essential

21 priority for the people of Syracuse. Last

22 year I visited Albany to see firsthand the

23 success of the CDTA's bus rapid transit

24 system. We need BRT in Syracuse and have a

1 study from our Metropolitan Transportation
2 Council to move forward. We are working with
3 our transportation authority to pursue every
4 federal and state option available for BRT
5 funding.

6 I'm aware my fellow upstate cities are
7 also seeking additional state investment in
8 public transportation. It's my hope that the
9 upcoming State Budget will include
10 substantial increases in both capital and
11 operating assistance that will help BRT
12 become a reality in Syracuse. It will be a
13 multi-year path, and we are determined to
14 make it happen.

15 Like other communities across the
16 state and nation, Syracuse's water
17 infrastructure also requires significant and
18 sustained investment. Since my first
19 appearance at a State Budget hearing, I have
20 had the extension of the drinking water
21 intake pipe in Skaneateles Lake, the source
22 of unfiltered water to the City of Syracuse
23 and multiple other communities, on my
24 priority list. Using ARPA funds to pay

1 nearly a quarter of the total cost, we will
2 move forward on the design and planning phase
3 for this critical project, which will help us
4 avoid the need to build a several-hundred-
5 million-dollar water filtration plant. We
6 continue to need state assistance to fund the
7 remaining three-quarters of this safe
8 drinking water project.

9 As I noted earlier, reaching fiscal
10 sustainability is achievable for the City of
11 Syracuse. We will continue to become more
12 efficient and generate more growth in our
13 city. We also need additional revenue. An
14 essential source of revenue to Syracuse is

15 New York State Aid and Incentives to
16 Municipalities, or AIM funding. I'm truly
17 grateful for the Legislature's consistent
18 support for AIM funding. For 13 years,
19 though, it has remained at the same level
20 despite significant cost increases. In this
21 same time period, the overall State Budget
22 has grown 75 percent. Relative to Syracuse's
23 city budget, which has grown about
24 19 percent, AIM aid is down 21 percent.

1 Respectfully, I urge the Legislature to
2 increase aid to municipalities, either by
3 adjusting AIM funding or, as recommended by
4 NYCOM, introducing a new mechanism for
5 additional state support to build on the
6 successful AIM program.

7 In closing, I want to thank the
8 legislative fiscal committees for the
9 opportunity to testify before you today. As
10 outlined today, our greatest needs are in the
11 areas of violence prevention, housing,
12 transportation, infrastructure, and city
13 finances. To advance from near-term
14 stability to long-term sustainability, we

15 welcome the ongoing partnership and support

16 of New York State government. Thank you.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 I don't see any Assemblymembers, so

19 why don't we go to the Senate.

20 CHAIRWOMAN KRUEGER: Okay. First we

21 have Senator Rachel May.

22 SENATOR MAY: Thank you,

23 Chair Krueger.

24 And welcome, Mr. Mayor. It's good to

1 see you.

2 MAYOR WALSH: Nice to see you,

3 Senator.

4 SENATOR MAY: I wanted to follow up on

5 a couple of things you talked about. The

6 I-81 project, I'm so excited that the

7 Governor wants to break ground this year

8 finally.

9 MAYOR WALSH: Yeah.

10 SENATOR MAY: But we know this can be

11 a transformative project, but we also know

12 there are still a lot of moving parts to it

13 and a lot of different governmental entities

14 involved. And so we need to make sure that

15 there's good communication but also some
16 flexibility built into it for troubleshooting
17 as we go along, I think.

18 Do you feel like that's in place or
19 are there things that we at the state level
20 need to do to either help or get out of the
21 way in order to make this project the best it
22 can be?

23 MAYOR WALSH: Yeah, I think all of the
24 above, Senator. You, as an example, have

1 been a champion of the 81 project, and
2 specifically the Community Grid solution.
3 Unfortunately, I think we've spent too much
4 time debating the outcome of the
5 Community Grid and not enough time planning
6 for the very challenges that you identified.

7 So, you know, we do meet regularly
8 with New York State DOT. We know New York
9 State DOT is meeting regularly with the
10 Federal Highway Administration. But I do
11 think as we get closer to the project, a more
12 formalized and enhanced multi-jurisdictional
13 approach is necessary so we can really make
14 sure that we maximize this

15 once-in-a-generation opportunity. So I would
16 welcome the opportunity to work with you and
17 your office and your colleagues on that.

18 SENATOR MAY: Great.

19 And then about BRT, what can we do at
20 the state level to make it happen?

21 MAYOR WALSH: Well, one, I want to
22 acknowledge and thank you for going on our
23 field trip to see the Albany BRT. And, you
24 know, Albany is a smaller city than Syracuse,

1 so we know we can do it here.

2 But we do need resources. We're

3 certainly hopeful that through the federal

4 infrastructure bill and other federal

5 resources that we are able to avail ourselves

6 of those. But, you know, we need not only

7 capital resources to fund standing up the BRT

8 system, we need operating resources.

9 And, you know, the state's been a

10 long-time supporter of public transit, but

11 we're going to need more and we're going

12 to -- as you look at how you might be able to

13 direct more resources to operations, I think

14 we want to make sure that we're doing it in a

15 way that ensures the funding is going to
16 actually expanding and enhancing the service
17 in the form of BRT in Syracuse or in
18 different forms in other communities, rather
19 than just supporting existing operations.

20 SENATOR MAY: Okay, thanks.

21 And then just with a few extra seconds
22 I wanted to say I'm really happy about your
23 emphasis on housing and affordable housing.
24 We've talked before about the crisis in young

1 people who are functionally homeless in
 2 Syracuse. I hope that you'll be really
 3 paying attention to making sure that those
 4 investments go to the people who most need
 5 it.

6 MAYOR WALSH: Absolutely. Thank you.

7 SENATOR MAY: Thank you.

8 CHAIRWOMAN KRUEGER: Assembly?

9 CHAIRWOMAN WEINSTEIN: We do not have
 10 any Assemblymembers, so why don't you
 11 continue, Senator.

12 CHAIRWOMAN KRUEGER: All right. We'll
 13 just continue to roll with the Senate.

14 We next have Senator Jim Gaughran.

15 SENATOR GAUGHRAN: Thank you,

16 Madam Chair.

17 It's nice to see you, Mr. Mayor.

18 And Senator May only had three

19 minutes, so I am sure if she had more time

20 she would raise a question that I'm going to

21 raise, and that is the importance of our

22 state university teaching hospitals. One of

23 the concerns that we have -- and of course

24 you have one in Syracuse.

1 One of the concerns that we have is
2 that these hospitals have really been
3 stepping up in the pandemic and economically
4 really, you know, facing some challenges.

5 And unique to other academic institutions in
6 the SUNY system, they're stuck paying fringe
7 benefits and debt service. So one of the big
8 things many of us are pushing for --
9 including Senators May and Mannion -- is to
10 have this budget relieve them of their debt
11 service for all our university teaching
12 hospitals.

13 You know, what are your thoughts on
14 that? And perhaps what can you do to help,

15 you know, lobby that we get this done?

16 MAYOR WALSH: Sure. I think it's a

17 great idea. I can't even begin to fathom

18 what the last two years would have looked

19 like in Syracuse and in New York State

20 without SUNY Upstate Medical University.

21 They have been a champion. They've been a

22 long-time gem here in Syracuse and in this

23 state.

24 But I think the way in which they

1 stepped up during the pandemic from their
2 testing capacity to the services that they
3 provided -- not just here upstate, but going
4 downstate when our downstate neighbors needed
5 us -- make them invaluable to this community
6 and to New York State.

7 So I will happily join in on your
8 efforts to advocate for any financial relief
9 and support we can provide -- not just
10 SUNY Upstate, but the other SUNY
11 institutions.

12 SENATOR GAUGHRAN: Sure. We have them
13 in other parts of the state, including
14 Stony Brook in Long Island.

15 Thank you very much, Mr. Mayor.

16 MAYOR WALSH: You got it.

17 CHAIRWOMAN KRUEGER: Thank you.

18 I think we're at Senator Savino.

19 SENATOR SAVINO: Thank you, Senator.

20 So, Mayor Walsh, I will ask you the

21 same question I'm asking all the mayors. It

22 is about the ever-present risks of

23 cybersecurity challenges and ransomware

24 attacks.

1 What can the state do to help prepare
2 our municipalities, our local governments --
3 particularly our school districts, which have
4 been particularly hard-hit during recent
5 years -- for responding to ransomware
6 attacks? And what is the City of Syracuse
7 doing, and what can we do to help you?

8 MAYOR WALSH: Yeah, thank you so much
9 for the question.

10 We are doing as much as we possibly
11 can. We do a lot of training for staff.
12 We're moving our systems into the cloud as
13 quickly as we can, but that digital
14 transformation in and of itself takes time

15 and resources.

16 We do have cybersecurity insurance,

17 but it's costly and we were recently informed

18 that our carrier was going to be dropping us

19 because a lot of the carriers are moving out

20 of this industry, and then our costs could

21 easily triple in the coming year.

22 So any resources certainly that the

23 state could provide could be helpful. But I

24 think -- related, I think a good analogy is

1 what we've seen during the pandemic, the way
2 in which we've had a statewide coordinated
3 effort that brings municipalities together
4 with state agencies. I think a much more
5 unified, comprehensive and coordinated effort
6 throughout New York State would be welcome,
7 in addition to more resources.

8 SENATOR SAVINO: Thank you. And it's
9 important that you pointed out that your
10 insurance carrier may be dropping you.

11 I think there's a false sense of
12 security on the part of many, whether they be
13 in government or even in business, that they
14 just need cyber insurance and that will

15 protect them -- when in fact that is not the
16 case. Many of the carriers are leaving,
17 they're dropping people. And in fact in many
18 instances they're refusing to make payments.
19 And so cyber insurance is not the solution to
20 this. It's better security, it's better
21 practices, it's better cyber hygiene, it's
22 training, training, training and support from
23 the state all the way down to the smallest
24 town and village.

1 So thank you for your efforts, and I

2 look forward to working with you on this.

3 MAYOR WALSH: Thank you, Senator.

4 CHAIRWOMAN KRUEGER: Thank you both.

5 Assemblywoman, I think that is it --

6 CHAIRWOMAN WEINSTEIN: Yes, we have

7 Assemblyman Otis for a question now.

8 ASSEMBLYMAN OTIS: Great.

9 Thank you, Mr. Mayor, and I want to

10 follow up on Senator Savino's line of

11 questioning on cyber.

12 Who in Syracuse do you work with now

13 in terms of expertise on what moves you need

14 to make? Is it in-house? Do you use outside

15 consulting firms? Who is your resource to
16 guide you through this uncharted territory?

17 MAYOR WALSH: Well, we are lucky to
18 have some really talented municipal employees
19 here in city government. But, you know,
20 given the market right now, it's really hard
21 to be able to attract and retain talent,
22 given the limited resources that we have.

23 So we do rely heavily on outside
24 resources as well. We pay a firm that

1 essentially provides 24-hour security for us,
2 monitoring our emails for attachments and
3 other things. So it's a combination. But
4 increasingly, relying on outside services.

5 ASSEMBLYMAN OTIS: Great. Thank you
6 very much. And keep up the good work in
7 Syracuse.

8 MAYOR WALSH: Thank you.

9 Assemblyman, I have to say I heard you
10 were a hockey guy. Google the Syracuse Pond
11 Hockey Classic. We just had it last weekend.
12 It's the second one we've done. It was a big
13 success, so proud of it.

14 ASSEMBLYMAN OTIS: Well I went to

15 Hobart college and had the privilege of

16 playing some of our games at the War Memorial

17 and at the old rink at the Fairgrounds, which

18 I think the old rink isn't there anymore.

19 MAYOR WALSH: The old coliseum, yeah.

20 ASSEMBLYMAN OTIS: I still keep my

21 moving parts moving, so thank you.

22 (Laughter.)

23 CHAIRWOMAN KRUEGER: I'm glad they're

24 moving, Steve.

1 Helene, moving to you.

2 CHAIRWOMAN WEINSTEIN: Yes.

3 So Mayor Walsh, thank you for being

4 here. There are no further questions. We

5 look forward to continuing to work with you,

6 along with our colleagues in the Legislature.

7 MAYOR WALSH: Thanks so much for your

8 support.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 CHAIRWOMAN KRUEGER: Thank you.

11 CHAIRWOMAN WEINSTEIN: So next we're

12 going to hear from the mayor of the City of

13 Albany, where many of us are -- where we're

14 now located, the Honorable Kathy Sheehan.

15 MAYOR SHEEHAN: Good afternoon, and

16 thank you so much to Chairpersons Krueger and

17 Weinstein for the opportunity to talk about

18 issues pertaining to the City of Albany.

19 I do have to say, after watching all

20 of my fellow mayors present, I do miss doing

21 this in person because we typically then have

22 the opportunity to get together and either

23 celebrate or commiserate. But certainly the

24 camaraderie is similar to the camaraderie

1 that I think you share there.

2 So I also want to thank the Senate

3 Finance Committee and the Assembly Ways and

4 Means Committee and of course our Capital

5 City delegation -- Senate Vice President

6 Pro Tem Neil Breslin, Assemblymembers

7 Pat Fahy and John McDonald -- who work very

8 closely with the city on issues that impact

9 us. And these are issues that impact cities

10 across the state, as you've heard today. All

11 of us have similar challenges.

12 But as you know, I have been typically

13 coming to this group with a challenge that's

14 unique to the City of Albany, talking about

15 the inequities of AIM funding, the fact that
16 the state owns 64 percent of the property --
17 or 64 percent of the property in the city is
18 not taxable, and an overwhelming majority of
19 that is owned by the state. And this body
20 has always been very supportive of our
21 request for Capital City funding.

22 And I am very pleased to see that the
23 Governor, for the first time, has also
24 recognized that this funding is critically

1 important to the City of Albany and put it in
2 the Executive Budget.

3 So I look forward to working with you
4 as the budget is finalized, and am very
5 hopeful that that funding will remain in the
6 budget with the support of this body and of
7 all of you. It is critically important to
8 the City of Albany, and I believe that we've
9 demonstrated time and time again the impacts
10 of the inequity on the City of Albany.

11 But I also want to talk a little bit
12 about what our other mayors have talked
13 about, which is AIM funding in general. You
14 know, I've been fighting for Capital City

15 funding, but at the same time supportive of
16 the fact that we need to revisit AIM. It
17 hasn't risen, as you've heard, in a number of
18 years. While we've seen other areas of the
19 budget and aid to other very important
20 institutions -- like our schools -- go up, we
21 continue to struggle.

22 And now more than ever, as cities are
23 trying to ensure that we have full staffs in
24 place, all of us are struggling with

1 recruitment of police officers, firefighters.

2 And uniquely to Albany, because we are here

3 in the capital and the state is very generous

4 with their pay and benefits, I feel like

5 almost every other week I'm losing a

6 super-talented person to the state. I'm glad

7 that they're going to go and benefit the

8 state, but it makes it a very challenging

9 hiring environment.

10 So I think it's very important that we

11 revisit AIM. I'm currently the first

12 vice president of NYCOM, and this is one of

13 our number-one priorities, to work with you

14 to ensure that not only is AIM -- do we have

15 enough funding and this -- you know, the

16 Assembly and the Senate have supported AIM,

17 and thank you for keeping AIM in the budget

18 all of these years. But I think it's also

19 time to revisit the formula and to really

20 talk about the needs of our cities and how we

21 can use AIM to address those needs,

22 particularly, as I said, as we see health

23 insurance, equipment, supplies and personnel

24 costs just continue to increase.

1 And there's a lot of pressure on our
2 workforce as we are challenged in delivering
3 essential city services. Right now I'm
4 down -- about 17 percent of my positions are
5 open positions. And these are, many of them,
6 in critical, critical areas that we really
7 need in order to be able to deliver essential
8 city services.

9 So I look forward to continuing that
10 conversation. We'd love to see the
11 cost-of-living adjustment to AIM in this
12 budget and then work to talk about how we can
13 make sure that we're implementing AIM in a
14 way that works for local governments.

15 I also want to mention a problem

16 that's not to be solved today but don't want

17 anybody surprised. One of the things that is

18 unique to the City of Albany is the PILOT

19 payment that we receive for the Empire State

20 Plaza. That is set to expire in 2031, which

21 is -- you know, seems far away, especially

22 given all of the challenges that we've been

23 dealing with for the last two years. But I

24 think it's important that we start the

1 conversation.

2 That payment was designed to provide

3 the city -- it was a legal obligation with

4 funding for the property that was taken. It

5 represents less than 0.3 percent of the value

6 of the property that the state owns in

7 Albany. And it is not state aid. So I think

8 it's really important that we make that legal

9 clarification. It's a legal obligation to

10 make the city -- or try to make the city

11 somewhat up for the loss of 90 acres,

12 hundreds of businesses, and nearly 10,000

13 residents that were displaced when the

14 Empire State Plaza was built. And there's

15 really no way to really recreate that in a

16 landlocked city like the City of Albany.

17 I also want to talk about some of the

18 great things that we've been able to do,

19 thanks to the hard work and the recognition

20 that local governments need additional

21 resources and when we invest those resources

22 we improve our communities. I'm grateful for

23 the focus on making sure that we have funding

24 for violence reduction efforts and

1 opportunities and programs that work and that
2 demonstrate that we can demonstrate work.

3 We are very grateful for the Touring
4 Routes funding that we received. It's going
5 to allow us to be far more impactful in the
6 investments that we are making. And in the
7 City of Albany one of the things that we are
8 really committed to is equity. And so we are
9 looking and grading our roads by ward and
10 really focusing on the areas where we have
11 the highest number of roads that rank in poor
12 or worse condition, and making sure that we
13 are focusing our efforts on those
14 neighborhoods. If we invest in those

15 neighborhoods, we fundamentally believe that

16 the private sector will come and invest

17 behind us because we're creating

18 neighborhoods where people want to live.

19 We're also focusing on our

20 infrastructure. We purchased our street

21 lights a couple of years ago. The COVID

22 pandemic delayed the full implementation, but

23 we now have that program fully implemented.

24 And we are seeing not only incredible savings

1 from that, but we're also seeing improved
2 public safety and the opportunity for us to
3 further enhance public safety by being able
4 to install cameras and other equipment onto
5 our new "smart" light poles to make our
6 communities safer.

7 We are looking forward to implementing
8 and continuing to implement our Corning
9 Preserve Waterfront Plan, and we've been
10 successful in getting grant funding from the
11 state in order to do that. We're very
12 excited about the Livingston Avenue Rail
13 Bridge -- this is something that the Governor
14 has spoken about and talked about in her

15 State of the State. We want to work
16 diligently with our local partners to
17 implement MRTA. And I look forward to
18 sharing updates with you as we continue to do
19 transformative projects in the City of
20 Albany.

21 I look forward to inviting all of you
22 to the opening of the Skyway, which would not
23 have been possible without funding from the
24 state. And it is our mini version of the

1 High Line, and it's really exciting to see it
2 come to fruition in the City of Albany.

3 So I want to close by simply saying
4 please keep the \$15 million of Capital City
5 funding in the State Budget. And I
6 respectfully ask that you index it to make it
7 permanent. And we also want to add and
8 ensure that we are working with cities across
9 the state to make sure that we have the
10 resources that we need in order deliver safe,
11 attractive cities that will continue to
12 attract businesses and residents for years to
13 come.

14 Thank you.

15 CHAIRWOMAN WEINSTEIN: Thank you,

16 Mayor.

17 We go to Assemblyman McDonald first,

18 for three minutes.

19 ASSEMBLYMAN McDONALD: Thank you,

20 Chair.

21 And thank you, Mayor, in your dual

22 role, not only as an officer of NYCOM and

23 advocating for the long-overdue AIM increase,

24 but also for the great work that you've done.

1 And the voters are very happy too, because
2 you're going to be here for another four
3 years.

4 You know, you mentioned the arterial
5 aid, which was always a big effort that I
6 always was focused on, being a former mayor.
7 I guess out of curiosity -- as you know, it's
8 allocated again in the budget this year, but
9 it was kind of late coming out last year.

10 Were you able to implement some of it, or
11 not, or where do things stand?

12 MAYOR SHEEHAN: So we actually are
13 ready to implement it. We have not let the
14 contract yet because we're waiting to see

15 where the tip comes in. The federal funding
16 is coming down at the same time, and those
17 decisions are being made by our planning
18 authority.

19 But we are definitely oversubscribed
20 for the tip, and the wonderful thing about
21 that is that we don't have to disappoint,
22 that we will be able to deliver on the
23 promise to communities of moving forward with
24 some of these long-overdue improvements to

1 our touring roads. So we look forward to

2 implementing it very rapidly.

3 ASSEMBLYMAN McDONALD: That's great.

4 I also want to commend -- and I think

5 I want to share with my colleagues as well --

6 the ARPA funds, your process of engaging the

7 community over a long period of time to

8 solicit feedback has been very transparent

9 and open. Let's face it, all of our cities

10 have a lot of needs. We know that all those

11 needs won't be met. But the reality is

12 you've done an all-encompassing aspect of

13 that, and you should be commended for that.

14 MAYOR SHEEHAN: Well, thank you, I

15 appreciate it. And as you know, we have

16 requests out. We're looking to invest

17 \$25 million in the community this year.

18 And we are requiring our departments

19 to apply for that funding if they want that

20 funding for a specific, you know, rec center

21 improvement or public safety improvement, so

22 that we can really be transparent and, when

23 we are done, be able to say to New York State

24 and to our friends at the federal government,

1 this is how we spent this money, these are
2 the transformational changes we were able to
3 make.

4 So it's very exciting. Far different
5 from where we were this time last year, and
6 really very grateful to have this resource
7 and this opportunity for our cities.

8 ASSEMBLYMAN McDONALD: Finally, you're
9 right, eventually this program expires for
10 the City of Albany, so we need to be mindful,
11 even when I don't think either one of us will
12 be around by then, but you never know.

13 And at the same token, you know, the
14 mention about AIM not only by yourself but

15 your predecessors is critical. As much as
16 everyone seems to be drunk with money these
17 days, we know that party will not last
18 forever. And there are a lot of commitments,
19 particularly in regards to retaining folks in
20 our workforce.

21 So we're with you, and thank you.

22 MAYOR SHEEHAN: Thank you.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 To the Senate.

1 CHAIRWOMAN KRUEGER: Senator Robert

2 Jackson.

3 SENATOR JACKSON: Thank you,

4 Madam Chair.

5 Let me say to you that I read your

6 statement and I wholeheartedly agree with you

7 as far as how Albany is being mistreated

8 unfairly as far as AIM is concerned. I mean,

9 I don't want to talk about New York City, but

10 I'll just mention to you, New York City used

11 to get AIM funding. We don't anymore. This

12 goes back several years. And some people

13 feel, well, because it was eliminated then,

14 that means we're not entitled to get it

15 anymore. And I'm saying, wait a minute,

16 we're a city just like everyone else. And

17 everyone else has continued to receive

18 funding. But I don't want to talk about

19 New York City.

20 But Albany is our state's capital.

21 And if in fact you need that in order to

22 carry out your business as far as Albany is

23 concerned -- and I heard you say how much

24 you're losing people as far as employees of

1 Albany to the State of New York. I mean,
2 what's right is right and what's fair is
3 fair. And quite frankly, you deserve it.
4 And anything that I can do as a State Senator
5 from New York City -- not, you know, to be
6 advocating for New York City; I can do that
7 separately. But I want to make sure you're
8 treated correctly.

9 But I say to you the City of Albany
10 and the people of Albany -- and especially
11 when you talked about that information, the
12 time frame for the state to pay up for the
13 Empire State Plaza, where thousands of people
14 used to live, so forth and so on. And I say

15 to you that even when I'm up in Albany, in
16 the evening I run in the plaza from one to
17 the other for about three or four miles just
18 to get some exercise when it's freezing
19 outside. So I thank you for that, and I
20 thank you for keeping us safe while we're up
21 in Albany.

22 And I appreciate the fact that the job
23 that you have is a tough job in Albany. So
24 thank you.

1 MAYOR SHEEHAN: Thank you so much.

2 SENATOR JACKSON: Thank you,

3 Madam Chair.

4 MAYOR SHEEHAN: Appreciate the

5 support.

6 CHAIRWOMAN WEINSTEIN: We go to

7 Assemblywoman Jackson.

8 ASSEMBLYWOMAN JACKSON: Thank you,

9 Chair.

10 Mayor, this is our first time meeting

11 and I just want to say thank you for all the

12 work that you have done here in the city. I

13 spend a lot of time here now as a new

14 legislator, with my son.

15 And I just know that there is not a
16 lot happening in the downtown area -- {video
17 lost}, so I would love to know what kind of
18 support you need from us so that we can have
19 some kind of -- you know, I drive through the
20 neighborhoods and I'll see like X's on
21 buildings -- oh, wait. They say my internet
22 is unstable.

23 MAYOR SHEEHAN: Yeah, I am able to
24 hear you, though. It's cutting out just a

1 little bit.

2 ASSEMBLYWOMAN JACKSON: I'm going to

3 cut off my --

4 I see X's on buildings that look

5 vacant, and I just want to know what that

6 actually signifies and how we can support

7 with more people being housed in this area,

8 to make sure that it's lively for the city.

9 MAYOR SHEEHAN: Great, thank you. And

10 I'm excited that you're here. We have a lot

11 more people in our downtown, which was part

12 of a very intentional and strategic

13 investment of converting old office buildings

14 into residential.

15 And so I moved downtown; I live in our
16 Arbor Hill neighborhood. And it's really
17 been incredible to see even during the
18 pandemic all of the construction continue and
19 those apartments fill up. And a lot of that
20 happened because of state aid that was
21 available.

22 The red-X buildings, that's a state
23 building code requirement. So if a building
24 is deemed by our fire department not to be

1 safe to enter, it has to have a placard on it
2 so that when first responders show up to that
3 building they know that it's not safe to
4 enter it.

5 We have reduced the number of red-X
6 buildings by 30 percent over the last
7 18 months, and our goal is to continue to do
8 that. We have been very intentional with
9 resources that we've put in place, grant
10 funding that we've put in place, to be able
11 to help to rehabilitate those buildings and
12 get those red X's off those buildings.

13 We don't own them, surprisingly. I
14 would say that only about 30 percent of the

15 buildings that you see with a red X on them
16 are tax delinquent. These are for the most
17 part owned by LLCs, by out-of-town investors
18 who hold a portfolio who are very hard to get
19 service of process to, and John McDonald has
20 been outstanding in his efforts to introduce
21 legislation and has successfully passed
22 legislation to allow us to move more quickly
23 to address those buildings.

24 ASSEMBLYWOMAN JACKSON: Thank you so

1 much. That's exactly what I needed to know.

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 Senator Krueger, do you -- I don't see

4 any other Senators, but I do have --

5 CHAIRWOMAN KRUEGER: Thank you. I

6 believe Senator Savino has a question for

7 this mayor, as she did the other mayors.

8 (Overtalk.)

9 SENATOR SAVINO: Great to see you,

10 Mayor Sheehan.

11 So I'll be brief. It's with respect

12 to the issue of cybersecurity, cyber

13 breaches, ransomware attacks. As we know,

14 local governments, school districts, everyone

15 are certainly at risk. The Biden
16 administration has signed national security
17 documents indicating it is the national
18 security threat of our lifetime.

19 So I'm wondering what the City of
20 Albany is doing, what the state can be doing
21 more to help our local governments and what
22 we can do to work more collaboratively to
23 protect the City of Albany and everyone here
24 from the risks of cybersecurity attacks.

1 MAYOR SHEEHAN: Thanks for that
2 question, Senator. It is good to see you
3 although, again, I wish we were in person.

4 SENATOR SAVINO: Yes.

5 MAYOR SHEEHAN: You know, Albany has
6 lived with this. We had a cyber attack in
7 2019, April of 2019, shortly after the City
8 of Atlanta. I don't know if the hackers were
9 going through and finding cities that started
10 with A, but we were part of that. And, you
11 know, I believe as my fellow Mayor Spano
12 indicated, we are advised not to talk very
13 much about how we were successful in fighting
14 that, only because we don't want to encourage

15 somebody else to try.

16 SENATOR SAVINO: Right.

17 MAYOR SHEEHAN: But I want to say that

18 there were two outstanding resources that are

19 available at the state level. State ITS was

20 invaluable to us. They sent resources over

21 here, they helped us as we worked with the

22 FBI and with other law enforcement, and they

23 were really, really helpful in our post-event

24 analysis of really doing all that we could do

1 to even further reduce the impact. We were
2 fortunate that the impact was relatively
3 minimal. But they've been an outstanding
4 resource.

5 And also UAlbany, its new ETEC
6 building, its Emergency Preparedness school,
7 cybersecurity is part of that. And so we
8 look forward to -- and I offered to them,
9 when we did the ribbon-cutting, you know,
10 We'll be your guinea pig, we are willing to
11 work with the state to do all that we can to
12 further secure and do what we need to be
13 doing to protect our systems.

14 SENATOR SAVINO: Thank you. Good to

15 see you again.

16 MAYOR SHEEHAN: Good to see you.

17 CHAIRWOMAN WEINSTEIN: We have one

18 more member, Assemblyman Mamdani.

19 ASSEMBLYMAN MAMDANI: Thank you,

20 Chair Weinstein.

21 Thank you, Mayor Sheehan. Just wanted

22 to ask you a quick question regarding

23 housing.

24 So Albany was the first city in the

1 state to pass good-cause eviction, and we're
2 considering it now at the state level. How
3 has good cause impacted housing conditions in
4 the City of Albany?

5 MAYOR SHEEHAN: Well, we've been sued.

6 So, you know, I think that -- we worked
7 really hard with housing advocates and I
8 think got to a place where, you know, not --
9 it's hard to make everybody happy, but we
10 were really excited. You know, once we
11 understood what the challenges were that
12 housing advocates were attempting to address,
13 we really worked hard to engage with
14 landlords as well as tenant groups. And I'm

15 really proud of our legislation.

16 We have been sued, and the argument is

17 that we are preempted by the state. So I

18 think if the state were to pass it, then it

19 would allow us to move forward with something

20 that is really important, especially as we

21 see, you know, pretty scary numbers as the

22 moratorium has been lifted and as we try to

23 sort out what is going to happen as a result

24 of that.

1 ASSEMBLYMAN MAMDANI: And so, Mayor,
2 would you say that you're in favor of the
3 state passing good-cause eviction?

4 MAYOR SHEEHAN: Yes. I mean, you
5 know, I think that it certainly would then
6 end this litigation and allow us to continue
7 with enforcement and implementation.

8 It's common sense. And I think that
9 when you have security in housing, then you
10 have security in families. And it makes --
11 you know, we have such transience that we
12 see, and it impacts school performance, you
13 know, it impacts people's mental health, it
14 creates anxiety, and it takes resources from

15 the people who are in the least position to

16 be able to marshal those resources.

17 You know, changing apartments for some

18 is like, Hey, I'm going to go look for a new

19 apartment because I want a better place to

20 live. For others, the idea of coming up with

21 first and last month's rent, filling out the

22 applications, paying application fees -- it

23 is a devastating, devastating prospect when

24 you're told that you're going to be -- your

1 lease is not going to be renewed or you're
2 going to be evicted with no good cause.

3 ASSEMBLYMAN MAMDANI: Absolutely. I
4 couldn't agree more. Thank you so much for
5 your testimony and for your work.

6 MAYOR SHEEHAN: Thanks.

7 CHAIRWOMAN WEINSTEIN: Thank you.
8 Thank you, Mayor. I just wanted to send
9 regards from Assemblywoman Fahy. Just for
10 your information, the members are restricted
11 to the relevant committees that cosponsor
12 this hearing, and she is unfortunately not
13 one of them. So she just texted me to please
14 send her regards.

15 And with that, I thank you for being
16 here with us today, and we look forward to
17 continuing this discussion as we move to
18 conclude the budget. Thank you.

19 MAYOR SHEEHAN: Thank you so much.

20 CHAIRWOMAN KRUEGER: Good to see you,
21 Kathy. Thank you.

22 MAYOR SHEEHAN: Thank you, Senator.

23 Thank you, Assemblywoman.

24 CHAIRWOMAN WEINSTEIN: And now we will

1 move to -- we've gone through the list of our
 2 mayors from big cities, and we're going to
 3 next have as a witness the new New York City
 4 comptroller, the Honorable Brad Lander.

5 Welcome.

6 NYC COMPTROLLER LANDER: Thank you so
 7 much.

8 Good afternoon, Chair Weinstein, Chair
 9 Krueger, and members of the Legislature. I'm
 10 honored to be here, as the chair says, for
 11 the first time as New York City comptroller,
 12 and grateful for the opportunity to discuss
 13 the state's Executive Budget with you.

14 I'm also joined today by Francesco

15 Brindisi, our executive deputy comptroller

16 for budget and finance.

17 More details are in my written

18 testimony, and I'm happy to answer questions

19 at the end.

20 The numbers suggest that we are

21 at last, and fitfully, turning the corner on

22 a pandemic that has been devastating for so

23 many New Yorkers and shined a harsh spotlight

24 on inequities in our economy. In New York

1 City the unemployment rate is now
2 8.8 percent, still double the nation's, and
3 jobs remain more than 400,000 below
4 February 2020. But as the Omicron surge
5 wanes, we do see many signs of economic
6 recovery. However, there are serious
7 concerns about how that recovery will be
8 shared. Federal and state rescue spending
9 saved millions from eviction and food
10 insecurity and bankruptcy, but now much of
11 that relief is expiring just as inflation is
12 eroding family spending power. So the
13 critical questions for this moment are, are
14 we on path for an inclusive recovery? And

15 how is the Executive Budget facilitating it?

16 We've got a unique opportunity to

17 spend one-time federal funds and surplus

18 states tax revenues to address the impacts of

19 the pandemic, to confront the inequalities it

20 exposed and exacerbated, to address the cost

21 of living for working families, and to

22 prepare now for future crises by building up

23 both our fiscal resilience and our climate

24 resilience.

1 First and foremost, we must support
2 New Yorkers who are currently struggling to
3 stay in their homes and care for their
4 families as costs rise, so it's critical to
5 replenish funding for the Emergency Rental
6 Assistance Program and the Excluded Workers
7 Fund. We should not neglect thousands of
8 New Yorkers who were denied relief simply
9 because funds ran out before their turn.

10 The next round of rental assistance
11 funding should also address the exclusion of
12 public housing residents, and we must protect
13 tenants who are paying their rent but facing
14 eviction nonetheless from real estate

15 investors profiteering off the pandemic with

16 good-cause eviction protections.

17 Next, we must raise the floor for

18 low-wage workers, so many of whom have been

19 on the front lines of this crisis. With

20 inflation eroding purchasing power for

21 families, it's time to revisit New York's

22 minimum wage. We can't leave people at the

23 bottom of the income ladder behind.

24 During my time in the City Council, I

1 was proud to pass legislation to create a
2 minimum pay standard for app-based for-hire
3 drivers and deliveristas, but a far better
4 answer would be for the state to pass
5 legislation to properly classify gig workers
6 as employees, to guarantee the minimum wage,
7 workers' comp, unemployment insurance,
8 healthcare and rights to organize that all
9 workers need and deserve.

10 We must strengthen the social safety
11 net, including expanded access to health
12 insurance for low-income undocumented adults
13 through coverage for all; mental health
14 investments, as the mayor called for this

15 morning; and the high-quality, affordable
16 childcare that the pandemic reminded us how
17 urgently parents and caregivers need. I urge
18 you to support the swift adoption of a cost
19 estimation model and establish a \$500 million
20 Workforce Compensation Fund to stabilize the
21 sector and build toward a system of universal
22 childcare.

23 And to expand economic mobility for
24 the next generation, the Legislature should

1 pass the New Deal for CUNY.

2 These steps toward a more vibrant and

3 inclusive economy must go hand-in-hand with

4 investments in safe and affordable

5 neighborhoods. This year we have a unique

6 opportunity -- indeed, a responsibility -- to

7 fix New York City's broken property tax

8 system. The city's tax commission was a good

9 start. It confirmed that the current system

10 is regressive and proposed concrete

11 solutions. So the time is now for the

12 Legislature to act, and the expiration of

13 421-a really creates the opportunity.

14 You already know that 421-a is a

15 \$1.7 billion tax giveaway that subsidizes

16 gentrification and creates little truly

17 affordable housing. The majority of the

18 supposedly affordable units are at levels

19 that three-quarters of New York City's

20 families can't afford, and the new proposal

21 doesn't change that. But the underlying

22 issue here is the flaw in our property tax

23 system -- the disparate taxation of

24 homeownership and rentals which discourages

1 rental housing development in favor of

2 condos.

3 So we shouldn't tinker around the

4 edges with slightly different numbers and

5 letters. Instead, the Legislature should

6 allow 421-a to expire, and then set a

7 deadline at the end of this calendar year to

8 achieve long-overdue comprehensive property

9 tax reform that would eliminate inequities

10 amongst different homeowners, create parity

11 between rentals and condos for future

12 development, and allow the city to target its

13 scarce affordable housing subsidies to truly

14 affordable housing.

15 I would be delighted to work with

16 legislators on such a plan. I genuinely

17 believe we can achieve it this year.

18 And lastly on housing, the budget

19 can't exclude NYCHA's 400,000 residents. But

20 even with additional state, city and

21 hopefully federal support, the need would

22 remain gaping. The NYCHA Preservation Trust

23 is a promising approach that merits very

24 strong consideration. My office plans to

1 engage with residents about the proposal in
2 the coming weeks and seek to develop ways
3 that residents would be meaningfully and
4 permanently involved in oversight.

5 As we look beyond the current crisis
6 it's clear that climate change is the biggest
7 long-term crisis we face. I'm proud to
8 report that two of the city's pension funds
9 recently completed divestment from fossil
10 fuels, with a third on the way. But we won't
11 meet our goals unless public funding matches
12 the urgency of the crisis.

13 I urge you to eliminate \$330 million
14 in state fossil fuel subsidies and to support

15 the Build Public Renewables Act to create the
16 groundwork for a 100 percent renewable
17 publicly owned state energy system. We hope
18 to get started on this work in the city
19 through our plan for Public Solar NYC.

20 We also need stronger building codes
21 and efficiency standards, emissions
22 benchmarking for large buildings, and an
23 accelerated timeline for banning new gas
24 hookups, following the lead of New York City.

1 Thanks to the budget agreement last
2 year, New York City schools are set to
3 receive close to \$9 billion in Foundation
4 Aid, finally honoring a decades-long crusade.
5 Thank you, RJ and others. I commend Governor
6 Hochul for honoring this commitment.

7 Another top priority must be the
8 humanitarian crisis in our jails. Rather
9 than reverse progress, we must ensure that
10 judges are complying with the 2019 reforms so
11 that no one is detained before trial simply
12 because they can't afford to pay. In this
13 moment of anxiety about public safety, we
14 must pursue investments in evidence-based

15 approaches to address the root causes of

16 violence, not fuel punitive strategies that

17 produced the era of mass incarceration.

18 On transit, the federal government has

19 filled the MTA budget gaps in the short term,

20 but we must confront the fact that ridership

21 and farebox revenue may not recover to

22 pre-pandemic levels. So the state will need

23 to begin considering new revenue sources that

24 don't increase burdens on riders. Like my

1 predecessor, I think a higher percentage of
2 the gas tax should be allocated to transit
3 rather than road building.

4 With implementation of congestion
5 pricing finally on the horizon, I urge you to
6 maintain a firm commitment toward equity and
7 reject any additional exemptions. And I
8 share concerns about the proposed Penn
9 Station general project plan. We need more
10 transparency about the financing,
11 understanding of risk, and assurance that our
12 tax dollars will go to real transit
13 investments.

14 For the first time in modern history,

15 the state's financial plan forecasts baseline

16 surpluses in every year, yet cost shifts and

17 revenue intercepts continue that will cost

18 the city more than \$1 billion per year. So I

19 urge you to reject the permanent extension of

20 the sales tax intercept, a \$200 billion cost

21 shift, and right costs imposed by the state

22 in past years, including the charter tuition

23 mandates.

24 Now, the State Budget rightly includes

1 a plan to build up long-term fiscal returns,
2 and we need to do the same at the city level.
3 My office will propose a more structured and
4 rule-based framework for the city's rainy day
5 fund to do just that. I also support state
6 legislation to make the general debt reserve
7 service permanent, as the mayor proposed this
8 morning, but I urge you to reject the city's
9 request to add \$19 billion to the
10 Transitional Finance Authority debt limit.
11 It is premature and imprudent at this time.
12 Finally, I would like to discuss one
13 legislative priority that impacts the ability
14 of our public pension funds to deliver for

15 our public-sector retirees. We need the
16 Legislature to modernize Section 177 of the
17 Retirement and Social Security Law, known as
18 the Basket Clause. That law, established in
19 1960 in a dramatically different investment
20 context, hampers our ability to prudently
21 diversify our portfolio. Making this change
22 will improve pension fund returns and
23 therefore save money for state and city
24 budgets in the long term. There's more on

1 this in my written testimony, and I'm happy
2 to answer questions about it.

3 Look, much uncertainty remains in our
4 understanding of both public health and the
5 economy, so we should approach the future
6 with humility but also real ambition to build
7 something better. Thank you.

8 CHAIRWOMAN WEINSTEIN: Thank you,
9 Comptroller.

10 We go to Assemblyman Braunstein, the
11 chair of our Cities Committee, for 10
12 minutes.

13 ASSEMBLYMAN BRAUNSTEIN: Thank you,
14 Mr. Comptroller, for testifying today for the

15 first time. And also it was good to see you

16 out in Queens last weekend. Good to see you

17 again.

18 NYC COMPTROLLER LANDER: That was

19 excellent drumming that we saw.

20 ASSEMBLYMAN BRAUNSTEIN: Yes. Yes.

21 First, I want to thank you for your

22 support for comprehensive property tax

23 reform. I think it's been too long that

24 we've continued to kick the can down the road

1 by tackling this difficult issue, and I'm
2 hopeful that the new mayoral administration
3 will finally undertake this effort and fix
4 our property tax system.

5 You mentioned that you think we should
6 reject the mayor's request for additional
7 borrowing authority. He and his
8 administration testified earlier that the
9 reason they're asking for the borrowing
10 authority was to be able to complete existing
11 projects, not take on new projects. And the
12 argument they claimed was that because of
13 decreasing real estate values, particularly
14 in Manhattan, they've reached their limit on

15 their borrowing capacity and this is just to

16 complete new projects.

17 Do you want to comment on that?

18 NYC COMPTROLLER LANDER: Absolutely.

19 So they haven't reached that limit.

20 Their numbers project that they might reach

21 that limit in 2025, three years from now. We

22 don't have any problem for three years

23 meeting the city's capital needs. Our debt

24 capacity is plenty for that.

1 And so I just think it's really
2 premature. First, property tax values have
3 stabilized much more than we expected. Even
4 in Midtown, there was a 20 percent initial
5 drop, but they're back up to half of that, so
6 we're at 90 percent of pre-pandemic values
7 just on Class C property -- on Class 3
8 properties.
9 We're getting a good shot at a lot of
10 federal infrastructure dollars. So let's see
11 what we can spend from federal infrastructure
12 dollars that we don't have to pay the debt
13 service on. And then I also would like to
14 really achieve some procurement reform and

15 see if we can't improve the way we're
16 spending on capital projects, something I
17 really believe the mayor and I know Lorraine
18 Grillo and I really share.
19 So I just think it's premature. If a
20 year or two from now -- despite another year
21 watching property values stabilize, seeing
22 what we get from the infrastructure
23 funding -- there still is a need, I'll
24 reconsider my position. But I think to ask

1 for \$19 million, which more than doubles the
2 TFA excess debt capacity, is premature at
3 this time.

4 ASSEMBLYMAN BRAUNSTEIN: Great, thank
5 you.

6 You also mentioned that you would be
7 proposing proposals to tighten up the rainy
8 day fund. I know Comptroller DiNapoli
9 recently issued a report with similar
10 recommendations, and we're looking at that
11 here up at the state level. Do you want to
12 expand on what some of your recommendations
13 would be?

14 NYC COMPTROLLER LANDER: You know,

15 we're just getting settled in here still a
16 little. But I thought Tom's recommendations
17 were good ones. You know, broadly, the goal
18 of getting to roughly 15 percent -- you know,
19 somewhere between 12 and 18, but roughly
20 15 percent of revenues as our cushion is the
21 idea. So we want deposits that get us on a
22 path to get there, and then some rules for
23 what really is a crisis or an emergency.
24 And look, you don't always know. At

1 the beginning of the pandemic, it sure looked
2 like that would be a fiscal emergency, and it
3 would have been a reasonable time to
4 withdraw, then the federal government steps
5 in with significant stimulus. So -- but we
6 need some rules and guidelines both for
7 deposits and for withdrawals, and I would
8 welcome that at either the state or the city
9 level.

10 ASSEMBLYMAN BRAUNSTEIN: I agree.

11 And, you know, we'll talk, because I'm going
12 to be proposing something.

13 And the whole point of encouraging an
14 administration to invest in the rainy day

15 fund is you don't want them to have the
16 concern that the next administration is just
17 going to pull all the money out and spend it
18 unwisely. So as I said, we'll talk, and
19 hopefully we can tighten up that rainy day
20 fund a bit.

21 Thank you for your testimony. I
22 appreciate your time.

23 NYC COMPTROLLER LANDER: Thank you.

24 CHAIRWOMAN KRUEGER: Okay, hi. Thank

1 you. All right, we're going to now go to

2 Senator Sepúlveda, the chair of the

3 Cities-New York City Committee.

4 SENATOR SEPÚLVEDA: Hi. Thank you,

5 Brad, for taking my questions and for

6 appearing today.

7 Assemblyman Braunstein had asked some

8 of the questions that I actually was to ask,

9 but I have a few questions of my own.

10 You know that -- I don't know if you

11 know, but I represent one of the poorest

12 communities in the entire State of New York.

13 The 32nd District has a lot of problems with

14 education, unemployment, and so forth. You

15 know -- I hope you know that generational
16 wealth and wealth in Black and brown
17 communities is something that's extremely
18 important to me as well. You have a pretty
19 massive pension fund that you manage, over
20 \$240 billion. I have always felt a sense of
21 disappointment with your predecessors because
22 when you look at the amount of money that the
23 city has invested using fund managers,
24 investment firms, companies that are

1 primarily Black and brown, the numbers have
2 been abysmal. I don't think your predecessor
3 passed more than 4 percent, and some of the
4 firms that were used were from California and
5 not from New York State or New York City.

6 Can you assure me -- I know that you
7 just started, but can you assure me or tell
8 me what steps you're going to take to really
9 remediate a problem that is little known in
10 New York City, and that's the lack of
11 investment or use of investments in Black and
12 brown communities and firms in the
13 comptroller's office.

14 NYC COMPTROLLER LANDER: Yeah. Thank

15 you for that important question, Senator.

16 And yes, you know, I think of this as part of

17 the broader MWBE shortcoming of the city in

18 general. There was a report not long ago

19 that fewer than 4 percent of the city's

20 contracts as a whole -- construction, goods,

21 supplies, services -- go to women and

22 minority-owned businesses, and some of the

23 most valuable of those contracts are the

24 asset-management contracts that come out of

1 the -- not just the comptroller's office, the
2 decisions belong to the trustees of the five
3 funds, but we guide and lean on them.

4 And it is absolutely incumbent on us,
5 just as we look at the systemic risk of
6 climate change -- I mentioned that I'm proud
7 that the city's taking the steps -- the
8 pension funds are taking the steps to divest
9 from fossil fuels because they represent a
10 systemic risk. So too inequality represents
11 a systemic risk to the thriving of our city
12 and the flourishing of our funds, and that
13 absolutely means that we need to improve the
14 reflection of our asset managers of

15 New Yorkers.

16 So yes, I really agree with this.

17 I've met with a lot of people about it so

18 far. You may know we actually have a search

19 just about to get underway for our chief

20 investment officer. The prior chief

21 investment officer left to pursue new

22 opportunities, so while we have an acting

23 CIO, we've got a search underway. And we

24 have a search advisory committee that

1 includes a few people, including Roy Swan,
2 who leads Mission Investments at the
3 Ford Foundation, who's really been a leader
4 of diversifying asset managers.

5 So this is high on my priority list.

6 What I can commit to you is, you know, I care
7 deeply about it, I'm learning how we do it
8 better, and next year when you ask me I'm
9 going to have a story to tell about the steps
10 we've taken.

11 SENATOR SEPÚLVEDA: Do you have a -- I
12 know, you know, you can't predict exactly
13 what, but do you have a number that you want
14 to reach that I believe -- or that you

15 believe will be reflective of the City and

16 the State of New York Black and brown

17 communities? The numbers are even worse

18 amongst the Latino community. I don't know

19 of any major firm that comes from a Latino

20 background that had --

21 (Overtalk.)

22 SENATOR SEPÚLVEDA: -- that's very

23 important.

24 NYC COMPTROLLER LANDER: I did meet a

1 couple. I actually went recently to a thing
2 called the Billion Dollar Managers Club,
3 which is Black and brown asset managers with
4 at least a billion dollars under management.
5 You're right, it's overwhelmingly
6 African-American, but there were a couple of
7 Latino fund managers there who have at least
8 a billion dollars under management. But I
9 think maybe just two or three out of about
10 25.

11 So let me get back to you with a
12 target. We actually have brought in a new
13 chief ESG officer to look at some of these
14 questions broadly, and he is doing some

15 planning. This also -- these things are
16 decisions that are made by the trustees of
17 the fund; the comptroller is just one trustee
18 on those boards. So you can propose, but
19 unless you have worked closely with trustees,
20 you can't build a majority of those boards to
21 make the decisions. The boards make every
22 single asset manager decision. So I think
23 it's important to build those targets and
24 goals within the context of our fiduciary

1 duty to maximize returns overall, and

2 together with our trustees. But it is

3 important that we do so. So --

4 SENATOR SEPÚLVEDA: Do you have a

5 number, a goal that you have set, after

6 looking at all the information -- that

7 obviously I've looked at as well, right?

8 You're much more knowledgeable about this as

9 I am. But do you have a number? Because

10 many times I've spoken with other leaders,

11 other comptrollers, about this number, and

12 they tell me "This is my goal," this is -- I

13 don't see concretized numbers. Is there

14 something that you can give us for hope?

15 NYC COMPTROLLER LANDER: It's a good
16 question. I honestly don't have such a goal
17 today. But I think your question is a good
18 one and I want to have a thoughtful answer, a
19 real goal, and make sure it's consistent with
20 the fiduciary duty we have to the funds. So,
21 you know, I think that's a question I will
22 take and come back to you with an answer.

23 SENATOR SEPÚLVEDA: Along a similar
24 vein, obviously the city -- as the

1 comptroller you can invest in many projects
2 and so forth throughout the City of New York.
3 The Bronx, poor Black and brown communities,
4 are areas where the city can, through your
5 office primarily, with whatever limitations
6 you have, you can invest in projects here
7 that are going to bring more jobs, that are
8 going to bring better housing you get through
9 firms and so forth, but that are going to
10 change the trajectory of what we have right
11 now in these poor communities.

12 What plan do you have, with the vast
13 amount of money that you primarily control,
14 to bring some of that money into our

15 communities?

16 NYC COMPTROLLER LANDER: Yeah. So the

17 New York City pension funds have a 2 percent

18 target for economically targeted investments,

19 and yes, out of \$275 billion, that's over

20 \$5 billion that can be invested for the

21 benefit of communities within the region. We

22 are nowhere close to that right now. And so

23 there's a couple of ways I'm looking to

24 increase that.

1 One, on the small business side, I
2 actually was just talking with Comptroller
3 DiNapoli, who has established some good new
4 small-business investment vehicles, including
5 for MWBEs, and I want to see whether there's
6 a possibility for the city's pension funds to
7 co-invest alongside his.

8 And then one place in the Bronx is
9 really I think the place that kind of
10 inspires it, in my mind. During the campaign
11 I laid out a proposal for a renewed
12 multi-family affordable cooperative
13 homeownership program. We so often say it is
14 sort of a 21st-century Mitchell-Lama, but we

15 just have nothing like it. Instead, the vast

16 majority of our housing subsidies go to

17 for-profit private developers for rental

18 housing.

19 And we can argue about what is or

20 isn't affordable, but a much greater

21 percentage of our housing investments used to

22 go into cooperative homeownership. And you

23 can see it in the Bronx, in Parkchester, at

24 Co-op City. It makes no sense to me that

1 that is not a central element of New York
2 City's affordable housing program, and I'm
3 going to be advocating for it. I laid out a
4 model in the campaign, but we're going to be
5 doing some more work. It's part of what I
6 think we could do if we get rid of 421-a.

7 One of the things that we could focus
8 on instead of a program -- you know, the new
9 option of 421-a, that 130 percent option --
10 75 percent of New York families can't afford
11 the condos created by it. So that's not an
12 affordable program. That wouldn't help most
13 families in the Bronx. But if we can reboot
14 a multi-family option like Mitchell-Lama, but

15 updated for today with some opportunities for
16 wealth-building while preserving permanent
17 affordability, I think it will just make all
18 the difference in the world. I mean, think
19 about talking to a community about the idea
20 of a rezoning when they think, instead of the
21 idea that the density is going into the
22 pockets of private developers, that it would
23 be creating intergenerational wealth for
24 their neighbors and themselves.

1 So that's one place where I think --

2 that will take some subsidy dollars. It

3 can't all be done with pension investments.

4 But I really think there's a big opportunity

5 to do something significant for the future.

6 SENATOR SEPÚLVEDA: Well, Brad, I'm

7 extremely hopeful that we're going to have a

8 different result with you. With the -- I

9 think it's very few common individuals that

10 are not in government -- they don't really

11 know the incredible impact that your office

12 can have on economic development in all

13 communities, but especially in poor Black and

14 brown communities.

15 And so I'm really laser-focused on
16 this. I'll be very attentive, as the chair
17 of Cities, I'll be very attentive to your
18 numbers. And hopefully -- I will do
19 everything possible to make sure that these
20 numbers increase and that the level of
21 investment into poor communities from your
22 office is commensurate with the vast
23 portfolio that you control, and I hope I'm
24 not disappointed. But again, I will work

1 with you in any way I can to make sure that

2 this becomes a reality.

3 Thank you.

4 NYC COMPTROLLER LANDER: Thank you.

5 CHAIRWOMAN KRUEGER: Thank you.

6 Back to the Assembly.

7 CHAIRWOMAN WEINSTEIN: Sure. We go to

8 Assemblyman Mamdani.

9 ASSEMBLYMAN MAMDANI: Thank you so

10 much, Chair Weinstein.

11 Thank you so much, Comptroller Lander,

12 for joining us today.

13 NYC COMPTROLLER LANDER: Nice to see

14 you, Zohran.

15 ASSEMBLYMAN MAMDANI: It's lovely to

16 see you, and I very much appreciated your

17 testimony. It was very refreshing and hard

18 to come to terms with agreeing with so much

19 of a testimony. But it was a nice feeling.

20 I wanted to ask you a couple of

21 questions following up on some of the things

22 you said, specifically around good-cause

23 eviction. Could you tell us a little bit

24 more about the Green Book tenant organizing

1 campaign that you have been active with since
2 your time as a councilmember? And if you
3 could speak to what the passage of good-cause
4 eviction -- what it would mean for the
5 residents of those buildings and how it would
6 impact them.

7 NYC COMPTROLLER LANDER: Yeah, thank
8 you for this question, which I think is
9 really important. Because historically what
10 I had in my mind as the family who needs
11 good-cause eviction is a family in like a
12 three-unit building of East New York.
13 There's a rezoning, they're in a small
14 building, it's not covered by rent

15 regulation, they're very low income,

16 speculation raises rents, and they have no

17 protections.

18 And yes, that family needs good-cause

19 eviction. But I didn't think about it as

20 something that families in my neighborhood

21 would need. But Greenbrook Partners is a

22 real estate company fueled by a couple of

23 hundred million dollars of private equity

24 investments that bought up over a hundred

1 buildings, multifamily buildings, in
2 Brooklyn, all throughout Brooklyn, from
3 Park Slope to Bushwick. And then basically
4 the day they buy the building, they blanket
5 it with eviction notices for folks both who
6 are rent-stabilized and then of course those
7 who are not rent-stabilized. These are
8 families paying like \$3,000 a month -- a
9 couple of roommates -- but they think they
10 could get four or five.

11 And that's their motto, is mass
12 evictions, you know, papering over a few
13 repairs, and then jacking up the rents
14 because folks don't have good-cause

15 protections. So that is hundreds of families
16 that have already been evicted, middle class
17 and working class. And good cause would shut
18 down this predatory practice because you just
19 would not be able to evict people who are
20 paying their rent and complying with their
21 leases, with no cause.

22 ASSEMBLYMAN MAMDANI: Thank you so
23 much. And just to follow up on the same
24 issue of housing, earlier you were speaking

1 about the 421-a program that we have, and
2 your recommendation to let it expire.

3 I also wanted to just direct us a
4 little bit towards the Governor's proposal of
5 how to replace 421-a. You've -- you know,
6 you've called the previous one a boondoggle.
7 How would you -- would you say that this
8 current proposal falls short? And if so,
9 how?

10 NYC COMPTROLLER LANDER: Yeah. Yes.

11 I mean, this proposal is a very modest
12 change. First, the majority of units being
13 subsidized are in this 130 percent AMI
14 program, and that wouldn't change. It would

15 shift from a rental to a condo. But that
16 means in most of the outer boroughs, a family
17 at 130 percent of AMI is making about
18 \$120,000 a year. That's the top 25 percent
19 of New Yorkers. So 75 percent of New York
20 households can't afford the majority of
21 affordable units in this program. That's --
22 you know, that's just not a real affordable
23 housing program.

24 ASSEMBLYMAN MAMDANI: Thank you so

1 much. Appreciate you and appreciate the work
2 you're doing.

3 NYC COMPTROLLER LANDER: Thank you.

4 CHAIRWOMAN WEINSTEIN: To the Senate.

5 CHAIRWOMAN KRUEGER: Thank you.

6 We next have Senator Leroy Comrie.

7 SENATOR COMRIE: Hello. Good

8 afternoon.

9 Comptroller Lander, how are you, sir?

10 NYC COMPTROLLER LANDER: Good

11 afternoon, Senator. So good to see you. I

12 was just out in Jamaica for Natasha Williams'

13 inauguration at York College. It was

14 really --

15 SENATOR COMRIE: I was on the other
16 side of the huge room, so I didn't get a
17 chance to see you before you left. I was
18 there. It was a great evening.
19 I'm glad to see you in this role. I'm
20 interested in the hearing which you plan on
21 doing with a replacement of 421-a, since you
22 feel that the program is not working. If you
23 want to expound on that a bit.
24 And then I know that you are also

1 aware of the failures of government overall
2 since -- with Ida and the response to
3 communities. And I know that you're going to
4 need a little bit more time on that, but if
5 you could give us some initial thoughts about
6 that as well, I'd appreciate it.

7 NYC COMPTROLLER LANDER: Great. Thank
8 you so much.

9 So first what I recommend on 421-a is
10 rolling it into a serious effort at
11 comprehensive property tax reform. I know
12 these things have been separated, but they
13 really are one problem. So if we let 421-a
14 expire -- you know, last time when it did,

15 three years' worth of properties filed in the
16 months prior to the expiration. So we have a
17 little time.

18 Let it expire. Set a deadline of the
19 end this calendar year for a comprehensive
20 property tax reform that includes addressing
21 the issue that is harming homeowners in your
22 neighborhood, the disparity between the tax
23 rates in my neighborhood -- like I am
24 undertaxed relative to you and your

1 neighbors, and that's not right. So that's
2 part one, parity amongst homeowners.
3 But part two is parity between rental
4 and condo development going forward. Right
5 now if you've got a piece of ground and
6 you're going to build on it, if you build a
7 condo building you're taxed at half the rate
8 as if it's a rental building. So let's fix
9 that underlying problem through property tax
10 reform and then we don't need 421-a to do
11 that and we can use our scarce affordable
12 housing resources targeted to affordability.
13 I'm glad to follow up with folks in a
14 lot more detail, but tying these two together

15 really gives us the ability to do both of

16 them.

17 And then on South --

18 SENATOR COMRIE: As you may know, I

19 was -- did sign a lawsuit for property tax

20 reform. As you know, all of us Queens people

21 are with that and I'm willing to do whatever

22 you need us to do to make that happen so that

23 we can get to that. Your commitment and the

24 mayor's commitment is refreshing to --

1 NYC COMPTROLLER LANDER: Wonderful.

2 I'll just add here like even if -- I think

3 there will be people who say they're for

4 property tax reform but urge you to pass just

5 warmed-over 421-a reform. But I just really

6 would push them. I think if that happens and

7 421-a, modest 421-a reform is in the budget,

8 we will miss the opportunity to do real

9 comprehensive property tax reform. And I

10 think we should try to rise to it this year.

11 SENATOR COMRIE: Unfortunately, we've

12 only got 20 seconds left --

13 NYC COMPTROLLER LANDER: So first the

14 federal infrastructure bill is a big

15 opportunity. It's largely for roads, but the
16 underside of the roads are the sewers. So we
17 need to use a lot of that money on sewer
18 repair work and replacement.

19 And then I've got a lot of thoughts on
20 how we can actually support homeowners who
21 are affected. The current disastrous system
22 doesn't help them. And I've got some
23 thoughts I'm actually planning to talk to
24 Adrienne about that I think we can -- you

1 know, that I'm glad to follow up with you on.

2 SENATOR COMRIE: Count on me to work

3 with you also. Thank you. Thank you,

4 Comptroller.

5 Thank you, Madam Chairs.

6 CHAIRWOMAN KRUEGER: Thank you.

7 CHAIRWOMAN WEINSTEIN: We go to

8 Assemblywoman Kelles.

9 ASSEMBLYWOMAN KELLES: So wonderful to

10 see you. Wonderful. Wonderful.

11 So two quick questions for you --

12 well, quickish. The first one, you mentioned

13 earlier about two of the three pension plans

14 that you have fully divested, I think is what

15 you said, at this point. I am currently
16 carrying a bill with Senator Brisport that
17 would require divestment of the New York
18 State Teachers' Retirement System. And the
19 central concern that we're hearing is the
20 fiduciary responsibility preventing
21 divestment.

22 And so I just wanted to hear from you
23 about that because of course what -- the
24 research I'm reading, the fiduciary

1 responsibility would imply that the most
2 responsible thing would be to divest at this
3 point.

4 So I'm curious how long it took, what
5 the fiscal impact has been. If you could
6 just describe it in a little bit more detail.

7 NYC COMPTROLLER LANDER: Absolutely.

8 And it is of course important to act
9 consistent with fiduciary duty in respect to
10 the pension funds. And I give big credit to
11 the prior trustees, including Comptroller
12 Stringer, on this. It took two or three
13 years. They worked with consultants, they
14 established a real plan.

15 You can actually see on our website --

16 I'll get you the link -- you know, the

17 formula they came up with and all of the

18 companies with significant fossil fuel

19 reserves in the ground that were divested.

20 You know, so so far NYCERS and the

21 Board of Education Fund has divested. The

22 New York City Teachers' Retirement System

23 actually is currently working with BlackRock

24 to achieve divestment consistent with

1 fiduciary duty. So it can be done in a way
2 that is consistent with guaranteeing
3 retirement security.

4 You know, your job is to look at where
5 risks are, both in individual companies but
6 also systemic risk. And I just don't think
7 that -- I think it's clear that coal
8 especially, you know, but fossil fuels in
9 general are a retiring asset and starting to
10 build a more renewable portfolio is
11 important.

12 The next step for us is that we've
13 committed to \$5 billion of investments over
14 the next few years in a just transition to

15 renewable energy sources and sustainable
16 technologies. We just made our first
17 investment in such a fund, a \$50 million
18 investment, and we're looking forward to
19 growing that over time.

20 ASSEMBLYWOMAN KELLES: That's
21 wonderful.

22 And then one other question to add to
23 previous questions about good cause. We talk
24 a lot about the impact on tenants, but

1 New Jersey, for example, has had this since
2 1974 and I've heard nothing but how it has
3 actually also created stability for
4 landlords. And there's a lot of
5 misinformation on its impact on landlords, so
6 I'd love to hear a little bit about your view
7 on the potential benefits to landlords.

8 NYC COMPTROLLER LANDER: Yeah. Good
9 cause in many ways is like just a code of
10 conduct between landlords and tenants.
11 Right? What it really does is reinforce the
12 lease and say, you know, if you're meeting
13 your obligations, you can stay in your home.
14 And that does reflect obligations on both

15 sides. Landlords can still evict tenants who
16 don't pay their rent or don't comply with
17 their lease. But it's a strong incentive for
18 tenants to comply with their lease, knowing
19 they'll be able to stay in their homes if and
20 as they do.

21 ASSEMBLYWOMAN KELLES: Wonderful.

22 Thank you so much. Good to see you again.

23 NYC COMPTROLLER LANDER: Wonderful to

24 see you, Assemblymember.

1 CHAIRWOMAN WEINSTEIN: Thank you.

2 To the Senate.

3 CHAIRWOMAN KRUEGER: Thank you.

4 Next we have Senator Robert Jackson.

5 SENATOR JACKSON: Thank you.

6 So Brad -- congratulations, Brad. So

7 happy that you are the city comptroller. And

8 I've listened to your testimony and I

9 appreciate your advocacy on behalf of the

10 people of New York City, and understanding

11 that we have 8.8 million people that live in

12 New York City. And you talked about NYCHA,

13 you talked about property tax, you talked

14 about all of the things that we feel you

15 should talk about. But I just have one or

16 two questions.

17 And you may remember, going back, a

18 2019 report put out by Class Size Matters

19 that found that the Department of Education

20 overspends on rental subsidies while denying

21 collocated public schools legally required

22 matching funds for facility upgrades. And

23 they further found that in fiscal year 2020,

24 the DOE paid \$11.6 million in rental

1 subsidies to eight charter schools whose
2 charter management organization or affiliated
3 organization owned their own spaces. In some
4 cases the base rents of these charter schools
5 also increased by as much as 400 percent in
6 one year.

7 So the ask is this. Will you
8 undertake an audit of the New York State
9 Department of Education's charter school
10 rental subsidies?

11 NYC COMPTROLLER LANDER: Thank you for
12 sharing that, Senator. I don't know if you
13 heard, but I gave you a nice shout out in my
14 testimony, so --

15 (Inaudible overtalk.)

16 NYC COMPTROLLER LANDER: I'd love to

17 learn more. I'm still learning a little bit

18 about how our audits work, and I think

19 there's a couple of Department of Education

20 audits already underway. So I want to just

21 be a little cautious before I like commit on

22 a timeclock for new ones. But I would love

23 to talk to you and to Class Size Matters and

24 see how we can take a look at this and aim to

1 pursue it in the future.

2 SENATOR JACKSON: Well, I appreciate

3 that very, very much.

4 But also with NYCHA, as you know,

5 people are complaining, complaining,

6 especially in the wintertime, with no heat

7 and hot water. And obviously we've

8 communicated with the mayor's office and what

9 have you. But anything and everything that

10 you can do to help the people that are living

11 without heat and hot water.

12 I don't know if you've ever

13 experienced that. I remember when I was in

14 college and we didn't have heat and hot water

15 and we were sleeping with our coats and hats

16 and boots and everything on just to stay

17 warm. It's not fun at all.

18 NYC COMPTROLLER LANDER: It happens

19 that I had one night without heat this

20 winter, but I'm in a position to be able to

21 call the plumber. And the plumber came the

22 next day and fixed my boiler, and I didn't

23 have to spend a second night without heat.

24 And, you know, the first night is

1 cold, but you ought to have the ability to
2 have someone come and fix your plumbing. And
3 so absolutely. I mean, what NYCHA
4 residents are living in is unacceptable.

5 You know, the challenge, of course, is
6 that we've let the deterioration take so long
7 that you can't just call the plumber and
8 he'll fix one quick thing -- so many of
9 buildings really need total rehabs.

10 I was proud, in the Gowanus rezoning,
11 to win some of the first commitments,
12 \$200 million of city tax levy, for really
13 basically like a full substantial renovation
14 of those buildings. And that's what we have

15 to find a way to do with some mix of federal,
16 state, city dollars. And this is why I do
17 think we need to look at the preservation
18 trust, which I understand residents have a
19 lot of anxieties about. So I want to work
20 with people to figure out how we make sure
21 they're involved in oversight. But I do
22 think that's one of the ways we can bring a
23 substantial infusion of dollars in to really
24 fix some of those --

1 SENATOR JACKSON: Well, thank you. My
2 time is up, and we'll follow up with your
3 office.

4 NYC COMPTROLLER LANDER: Wonderful.
5 Thank you, Senator.

6 SENATOR JACKSON: Thank you.

7 CHAIRWOMAN WEINSTEIN: There are no
8 other Assemblymembers, Senator Krueger, so
9 you can continue.

10 CHAIRWOMAN KRUEGER: Thank you very
11 much.

12 Senator Savino, did you have your same
13 question for the comptroller?

14 SENATOR SAVINO: No, I have a

15 different one.

16 CHAIRWOMAN KRUEGER: Okay, go for it.

17 SENATOR SAVINO: It's actually a

18 different issue.

19 Good to see you, Comptroller Lander.

20 NYC COMPTROLLER LANDER: Nice to see

21 you, Senator. And you're not quite going to

22 be my Senator, but much closer than you are

23 currently. So friends and neighbors.

24 SENATOR SAVINO: We can't all be lucky

1 enough to be represented by Senator Savino,

2 but close enough.

3 I wanted to talk to you about your new

4 role as the chief officer of the pension

5 system. Unlike the state, where the

6 comptroller is the sole trustee, you are one

7 of many with our five systems. And I think

8 what gets lost oftentimes is that the most

9 important responsibility of the pension funds

10 is to their beneficiaries. And so the

11 prudent investment standard is critically

12 important that we get the best return on our

13 investment.

14 And I know that you are looking for us

15 to do something that we haven't done since my
16 first year when I got here elected to the
17 Senate, and that is something called
18 "expanding the basket." So maybe you want to
19 talk to us a little bit about what "expanding
20 the basket" means and why it's important and
21 why we should do it now.

22 NYC COMPTROLLER LANDER: Thank you so
23 much for this question. It really is one of
24 the most important things in my testimony

1 because exactly as you say, like the first
2 duty is to make sure we're securing
3 retirement for the 750,000 public-sector
4 workers and retirees. And this would cover
5 the state pension fund and NYSTRS as well.

6 So, you know, it used to be that your
7 portfolio just consisted of stocks and bonds,
8 and that was it. But in recent years much
9 more of the market is what's called
10 private-market investments -- real estate,
11 infrastructure, private equity, alternative
12 credit. And that has grown to be in some
13 cases like the classic portfolio -- they
14 actually call this the Yale model. Yale now

15 has closer to 60 percent of their investments
16 in private markets; only about 40 percent in
17 traditional public equities in, you know,
18 stocks and bonds. But the New York State law
19 requires that our funds have 75 percent of
20 our investments in those traditional
21 investments in stocks and bonds, essentially,
22 and indexes and fixed incomes, and only
23 allows 25 percent for all private-market
24 investments.

1 So we would like to increase that, you
2 know, we propose by 10 percent to go up to be
3 able to do 65 percent in those public
4 equities and fixed incomes, and 35 percent in
5 these private-market investments.

6 Yeah, so that's basically the
7 proposal. There's obviously some more
8 details to it. It's very prudent. All of
9 these are risk-adjusted. You go through
10 thorough risk screenings of all -- both the
11 public and private-market investments. If
12 you talk to almost any institutional investor
13 or pension fund manager, they will say 75/25
14 is just too restrictive to achieve the

15 maximum risk-adjusted returns.

16 SENATOR SAVINO: Well, I certainly

17 look forward to working with you on that.

18 And, you know, as a person who is now

19 actually pension-eligible, 32 years in the

20 system, I get more -- increasingly more

21 concerned about the safety and sanctity of

22 the New York State pension system.

23 Look forward to working with you on

24 it. Thank you, Brad.

1 NYC COMPTROLLER LANDER: Thank you.

2 That's wonderful.

3 CHAIRWOMAN KRUEGER: Thank you.

4 You don't have anyone else,

5 Assemblywoman?

6 CHAIRWOMAN WEINSTEIN: No. Did you

7 want to take some time, Senator Krueger?

8 CHAIRWOMAN KRUEGER: Thank you very

9 much, I do.

10 Hello, Comptroller Lander. Known you

11 in many hats over the years. Nice to see you

12 up here with us.

13 So you actually already answered quite

14 a few of my questions, so I just want to

15 reinforce that you really don't think the

16 City of New York needs such an enormous

17 growth in their ability to expand their debt

18 category at this point; you think that there

19 will be plenty of time if they need it. Is

20 that right?

21 NYC COMPTROLLER LANDER: That's right.

22 You know, I'm a big believer in

23 infrastructure investment, so I want us to

24 have the resources we need for the sewers in

1 Leroy's district, for all the investments in
2 our streets and our parks and our libraries.
3 But you want to be prudent, you don't want
4 to, you know, take on more debt capacity than
5 you need. I came in -- Francesco Brindisi's
6 here, he's our executive deputy, and I sat
7 with him and our deputy comptroller for
8 public finance, and they went over the
9 numbers with me. They showed me that we're
10 not even projected to hit that debt limit for
11 three years, and that's with pretty
12 conservative assumptions about property value
13 recovery. We're actually ahead of where we
14 expected to be. There's just no need to act

15 now, you know, for a problem that doesn't
16 even -- might not even come, at worst, for
17 three years.

18 So I would say, you know, let's hit
19 pause and see what we get from the
20 infrastructure bill, let's watch what happens
21 with property values, and we can make a
22 decision a year from now about whether any
23 additional debt capacity is needed.

24 CHAIRWOMAN KRUEGER: And you and I

1 have talked about this many times, so you and

2 I both know that we agree that the 421-a

3 program has been a failure and the Governor's

4 new proposal doesn't change it nearly enough.

5 And I also, as you raised, am very concerned

6 about it going back into being allowed to be

7 used for condos and co-ops and that none of

8 this is going to expand affordability.

9 I asked the mayor earlier whether he

10 didn't think allowing this act to sunset and

11 J-51 as well -- which is costing I think

12 another 400 million a year on top of

13 1.7 billion for 421-a -- and giving that

14 authority back to the City of New York where

15 the mayor and the comptroller and the

16 City Council could make determinations of how

17 to use your property tax money for the

18 maximum advantage for affordability in a

19 variety of different ways, including, as you

20 pointed out, potentially in the mix for

21 fixing the really incredibly unfair property

22 tax system, in the mix of funds that could be

23 used on a almost site-by-site determination

24 of whether you were going to get the best

1 bang for your buck for this specific proposal
2 in this specific neighborhood.

3 And he said he would like to talk to
4 me about it further, so I take that as a good
5 sign. But do you also think that letting the
6 City of New York control more of its housing
7 destiny with that model makes more sense for
8 you?

9 NYC COMPTROLLER LANDER: I am
10 certainly a big fan of New York City having
11 control over its own destiny.

12 I guess the one thing I definitely
13 would say here, though, is I do think the
14 possibility -- you know, as I've said a

15 couple of times, I really think we should try
16 to link the 421-a question with the property
17 tax question. So I wouldn't want to just go
18 back to a situation where the council and the
19 mayor could decide about 421-a but couldn't
20 fix what's broken with our property tax
21 system, which currently, you know, is
22 essentially framed by state law.

23 So I guess my first druthers would be
24 sure, hand New York City the ability to do

1 all of that, to fix our property tax system
2 and then reset on 421-a and affordability.
3 But my second choice would be let's try to do
4 all of that in Albany. You know, I do think
5 there's the possibility of having a governor
6 and a mayor that could work together on this,
7 which is refreshing. That's not something
8 that we are familiar with.

9 And so, you know -- and I think it's
10 hard -- property tax reform is hard to do.
11 Getting the politics right is very difficult.
12 There are winners and losers, and you have to
13 think about how to do it. So no one really
14 wants to. I mean, we all say it should

15 happen because we don't like the inequities

16 in the system. But this is a real moment

17 that we could do it. So I want us to seize

18 that moment. And I'd be glad to support it

19 at either the city level or the state level.

20 And we're going to put out some

21 more -- I was actually talking with

22 Francesco -- you mentioned this question of

23 what happens if it expires. You know, he

24 just told me this morning that, you know, on

1 average in New York City we have about
2 20,000 housing starts a year but, in the year
3 that 421-a expired last, there were 60,000
4 housing starts because developers rushed to
5 beat the deadline.

6 And there's every reason to believe
7 they'll do that again this spring, giving us
8 a little time. There's no need to rush to a
9 bad renewal. It can expire, people will get
10 in before the deadline. And then we'll need
11 a deadline; you can't let it go on forever.
12 But I think the end of the year is
13 reasonable.

14 CHAIRWOMAN KRUEGER: And thank you for

15 reminding me of that part. Because I was

16 around last time it expired, and that's

17 exactly correct. So there is more

18 flexibility and more time.

19 And given both of our concerns about

20 climate change and sustainability and where

21 the city needs to go in its future -- and I

22 think that you and I both support the city's

23 change in law to not allow new gas

24 infrastructure I think starting in '24 -- do

1 you think any kind of future property tax

2 credits or incentives in the tax system in

3 New York City should have a sort of climate

4 change tie-in in some way?

5 NYC COMPTROLLER LANDER: Yeah, that's

6 a great -- it's a great point. Obviously

7 some things we just want to require in the

8 building code, so you do that with no new gas

9 hookups and other kinds of standards.

10 But obviously, especially on existing

11 buildings, you know, where these buildings

12 can afford to make changes, great. But, you

13 know, where those are rent-stabilized

14 buildings, then building in some incentives

15 that make it possible.

16 Solar -- there's some good solar tax

17 incentives. We're actually going to be

18 experimenting with a model in New York City,

19 hopefully through this public solar concept,

20 where the city, through an LDC, will actually

21 come to a homeowner and say, We can do the

22 solar on your roof and pay you a rent,

23 essentially, rather than having to do it

24 through tax credits.

1 But yes, there's a lot to incentivize,
2 whether that's energy source heat pumps --
3 you know, there's a lot of ways that we could
4 look at using changes in both the zoning and
5 the tax code to incentivize the urgent action
6 we need.

7 CHAIRWOMAN KRUEGER: Great. We
8 covered some of that territory in our
9 environmental hearing a few days ago, more in
10 relationship with state taxes. But I thought
11 about it in the same context for why some of
12 these proposals would be a win for city
13 taxes. And I appreciate your raising the
14 point in your testimony that we should stop

15 using the state tax code to give incentives

16 to the petroleum and gas industry. That is

17 the opposite of what I think we all

18 understand we ought to be doing in the

19 21st century.

20 You know, I don't want to go into a

21 whole new territory because it will take more

22 than two and a half minutes, so I want to

23 give back my two and a half minutes. I want

24 to thank you very much for your participation

1 with us today. I look forward to continuing
2 to work with you in your new capacity as the
3 city comptroller. Thank you very much.

4 Back to you, Helene.

5 CHAIRWOMAN WEINSTEIN: Thank you,
6 Senator Krueger.

7 So Comptroller, Brad, that is -- we
8 don't have other members with questions. I
9 know that as we craft this budget I'm sure
10 that both Senator Krueger and myself and
11 others may be reaching out to you as we -- to
12 look for some guidance and information.
13 And with that, we'll let you go back
14 to work. We still have a lot to do up here.

15 NYC COMPTROLLER LANDER: I saw your
16 agenda, so I know you have many more hours to
17 go. So props to you. It's even more tiring
18 on Zoom than in person, I know, so --
19 (Laughter.)
20 CHAIRWOMAN WEINSTEIN: That it is.
21 NYC COMPTROLLER LANDER: Thank you for
22 the time and good questions, and look forward
23 to working with you in the future.
24 CHAIRWOMAN WEINSTEIN: Sure.

1 So now we're going to have the

2 New York State Conference of Mayors,

3 Peter Baynes, executive director.

4 So welcome. And you've been here

5 before, you know the drill, only you're there

6 and not here with us. So there's 10 minutes

7 on the clock, please keep an eye on it. And

8 your testimony has been distributed to all

9 the members, so feel free to not use all of

10 the time and summarize it. I know there will

11 be some questions afterwards.

12 NYCOM EXEC. DIRECTOR BAYNES: Great,

13 thank you for having me. Thank you for

14 having me once again. And I will -- I'll

15 summarize the key points that we made in our
16 testimony and hopefully leave some time for
17 questions.

18 The Conference of Mayors, we since
19 1910 have represented the cities and
20 villages, nearly 600 cities and villages
21 across the State of New York. And I
22 appreciate the ability today to talk about
23 our reaction to the Executive Budget
24 proposal. When it was first released by

1 Governor Hochul, our response was that it was
2 a near-seismic change in the state's approach
3 to local government, and we meant that in a
4 positive way.

5 There are things in there that signal
6 that change in the state's approach to local
7 governments. The Governor funded the
8 transportation aid adds that you in the
9 Legislature so generously provided and pushed
10 for last year, so you don't have to go back
11 to the well to get those adds put back in.

12 The Governor has ended the sales tax
13 intercept for the state payment of AIM
14 funding to towns and villages, which is

15 something we asked to be done.

16 And her budget proposal also expands

17 programs for the support of local economic

18 development. And I'll talk about all those

19 things a little bit more.

20 But I will also note that we said it

21 was a near-seismic change in the state's

22 approach because there are two things in the

23 Executive Budget that we are very concerned

24 about, one being that there was a failure to

1 increase AIM funding, which each of the
2 mayors has talked about today. And we'll
3 talk a little bit about our proposal in that
4 regard.

5 And also there's a new state
6 preemption-of-local-zoning proposal that is
7 unprecedented in New York that we're strongly
8 concerned about.

9 So let me focus first on AIM. You
10 know, I think it's been made clear today that
11 AIM is essential to local governments. It's
12 operational aid. It's not capital aid. It's
13 the money they need to do the things that are
14 so important -- all the things that have

15 actually been talked about today, all the
16 issues of the day, if you think about it:
17 Public safety, public health, the well-being
18 of our children, affordable housing, economic
19 opportunity, safe drinking water. Those
20 things all intersect with what a mayor does
21 in a city or village. And their ability to
22 address these issues is really tied to their
23 fiscal capacity.
24 Unfortunately in New York we have a

1 13-year track record now of the state not
2 providing an increase in operational aid to
3 cities, villages and towns.

4 To try to address that, we've advanced
5 a proposal to the Governor and to the
6 Legislature seeking a cost-of-living increase
7 in AIM funding based on the 13-year period in
8 which it has not gone up. And that would be
9 a \$210 million cost-of-living increase for
10 local governments for their AIM funding. We
11 have nearly 400 mayors who have signed onto
12 our letter calling for that increase.

13 We also support any of the new aid
14 that's distributed that it be done according

15 to a new formula, since AIM really doesn't
16 have a formula. It's just a combination of
17 various formulas that don't actually run each
18 year anymore. But any new money, we think,
19 should be allocated fairly based on the
20 population of a municipality, the poverty,
21 the tax-exempt property, and other factors
22 that will address the need of a municipality.

23 We also believe that municipalities
24 should be able to count on some level of

1 increase from year to year. We're suggesting
2 to the Legislature that they establish some
3 fixed percent of the school aid increase
4 every year as a benchmark for the amount of
5 municipal aid that should go up. For
6 example, school aid in the last 13 years has
7 gone up \$6 billion. If there was a 5 percent
8 benchmark of school aid going in an equal
9 amount equal to 5 percent of school aid
10 increase going to municipalities, that would
11 have been a \$300 million increase in AIM
12 funding over the last 13 years, which would
13 have addressed the whole cost-of-living issue
14 that we've raised.

15 So we really feel this is the year

16 that -- the resources are there for the

17 state -- that AIM funding needs to be

18 addressed and additional operational aid

19 needs to go to local governments. As I

20 alluded to at the beginning, transportation

21 funding in the Governor's budget continues

22 the good work you did last year as it relates

23 to CHIPS, extreme winter recovery, PAVE-NY,

24 the new Touring Routes program. It also

1 doubles the BRIDGE NY funding from 100 to
2 \$200 million and actually creates a new
3 program of \$100 million called Pave Our
4 Potholes. We support all of that, we think
5 it's great news. And we also think it frees
6 up the Legislature this year to focus your
7 efforts on getting that AIM funding
8 increased, that that be your priority this
9 year.

10 In the water/sewer infrastructure
11 realm, more good news there, an additional
12 500 million for the Clean Water
13 Infrastructure Act. But remember, not all
14 that money goes to local governments. And

15 what does go to local governments, there are
16 many local governments that don't receive it
17 from year to year. So there still remains a
18 need for a program of state funding to
19 municipalities for their water and sewer
20 needs where every municipality would get a
21 piece of such funding every year.

22 Now to the thing we're most concerned
23 about from a non-monetary point of view, and
24 that's the Governor's proposed mandate to

1 preempt local land use decision-making
2 pertaining to accessory dwelling units and
3 transit-oriented development. Those
4 proposals, which have been talked about
5 today, are really unprecedented mandates into
6 local land use decision-making. Many of our
7 mayors believe in accessory dwelling units,
8 transit-oriented development. Many of them
9 have implemented those within their
10 communities. But it has to be done from the
11 community up, not from the state down.

12 So we really feel that we've made this
13 clear to the Governor's office, and I know
14 many legislators support our contention that

15 it can't be -- when it comes to local zoning,

16 it can't be a mandate from the state.

17 What we're asking the state to do

18 instead is to provide support for local

19 governments that want to consider doing

20 accessory dwelling units or transit-oriented

21 development. The state should study the

22 impact of adopting those policies, provide

23 model local laws and regulations, and provide

24 aid incentives. That will be a more

1 effective way of implementing that kind of
2 zoning in a way that's embraced by a
3 community rather than creating controversy.

4 Other things in the budget that we
5 want to talk about briefly: Local economic
6 development we feel is equal to state
7 economic development, and the Governor
8 recognizes that in her Executive Budget.
9 She's brought back to life the
10 Restore New York program, which many of you
11 will remember, which is one of the most
12 popular programs our members ever had the
13 opportunity to interact with at the state
14 level. It provides funding for abandoned

15 property demolition in municipalities, which
16 is a chronic problem around the state. And
17 the Governor has committed to \$250 million
18 over three years and \$100 million in the
19 current year.

20 Also the Governor has proposed a new
21 program called New York Forward, which is
22 sort of like the Downtown Revitalization
23 initiative but it's geared towards smaller
24 downtowns, which we think is really

1 important.

2 NYCOM as an organization, we support

3 basically everything each of the mayors said

4 today about bail reform. That, you know,

5 public safety is the number-one job of

6 governments, state and local governments.

7 Clearly violent crime is on the rise and is

8 at a crisis level in some communities. We

9 think that necessitates and it's logical for

10 a government to review policies its put into

11 place to see if it's having an impact on

12 crime.

13 So whether it has to do with guns

14 coming into the state and finding ways to

15 stop that or reviewing the bail reform laws

16 to see if there are ways on the public safety

17 side of things, not on the equity side of

18 things, to address the crime issue that we

19 have in the state right now. So we think it

20 can be done intelligently. We're not saying

21 to reverse bail reform at all, but we think

22 it should be given a good hard look to see if

23 there are ways to ensure that our communities

24 are as safe as possible.

1 And lastly, I'll just mention in the
2 local ethics realm the Governor has proposed
3 changing the current \$75 gift limit for local
4 government officials to a nominal value
5 limit. We think a better approach would be
6 to do a comprehensive reform of the
7 General Municipal Law Article 18 ethics
8 provisions. We think you can't just change
9 that limit without having some structure of
10 enforcement at the local level to determine
11 what "nominal value" means, what exceptions
12 should be created for that gift limit.

13 So those are the highlights. I'm
14 certainly ready to talk about cyber if

15 Senator Savino wants to talk about that as

16 well. And I'll leave the rest for questions

17 and answers.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 We're going to go to the chair of our

20 Local Governments Committee, Fred Thiele.

21 ASSEMBLYMAN THIELE: Thank you,

22 Chair Weinstein.

23 And Peter, it's good to see you.

24 NYCOM EXEC. DIRECTOR BAYNES: You as

1 well.

2 ASSEMBLYMAN THIELE: I'd like to focus

3 first on your testimony that relates to AIM.

4 And as you know, both Senator Gaughran and I

5 last year made that effort to not only

6 reverse the sales tax intercept and restore

7 AIM to its original program, but we also

8 attempted to do an increase last year. So

9 I -- we're -- you know, I can speak for

10 myself, I think Senator Gaughran too, he's

11 got his hand raised. But we've heard from

12 all the mayors and we've certainly heard from

13 you today that, you know, it's time for an

14 increase in AIM after more than a decade of

15 it being frozen.

16 I'm a little interested on the formula

17 that you talked about a little bit and how

18 that would work. Could you spend just a

19 little bit of time -- because I know that,

20 you know, no matter how we apportion it,

21 somebody will think it's unfair to them. So

22 what are the things at least from the mayors'

23 perspective that you're recommending that we

24 look at.

1 NYCOM EXEC. DIRECTOR BAYNES: Well,
2 first I do want to acknowledge the work of
3 the Senate and Assembly the last several
4 years of putting in their one-house budgets
5 proposed AIM increases. And NYCOM really
6 appreciates that. And hopefully with a
7 Governor who hasn't shut the door to
8 negotiating an AIM increase we can actually
9 get it done this year.

10 In terms of our formula, I mean it's
11 not at the point where we could generate
12 runs. But the key to fixing AIM and the
13 allocation is to have new money coming into
14 it so that we don't have winners and losers.

15 As I said, the current formula isn't a

16 formula at all. It's got like 1970

17 population data as part of it. It has

18 funding amounts incorporated into it that

19 were clearly political almost member-item-

20 type amounts.

21 So we think there's a way to take the

22 new money and allocate it so, you know, it

23 addresses -- do you have a dependent school

24 district? That clearly has to be taken into

1 account to determine how much is allocated.

2 Do you provide public safety services, police

3 and fire? What's the poverty level in your

4 community? And do you have a high level of

5 tax-exempt property?

6 We think there are ways to look at all

7 those factors and allocate the new money --

8 not the old money, the new money in a fair,

9 understandable way.

10 ASSEMBLYMAN THIELE: I think we would

11 certainly like to work with you on that and

12 with all the local governments, to try to

13 come up with a fair formula that we have

14 consensus on. So I certainly look forward to

15 that.

16 I want to talk, with the rest of my
17 time, about your testimony with regard to
18 accessory dwelling units. And, you know,
19 coming from Long Island, you know, certainly
20 this has been a big issue already, the
21 Governor's proposal. It was on the front
22 page of Newsday yesterday.

23 And as you mentioned, you know,

24 New York prides itself as a home rule state.

1 We have a whole article in the Constitution
2 talking about the home rule powers of local
3 government. And this approach certainly
4 seems to be at odds with that. It also seems
5 to be at odds with what every zoning code is
6 supposed to be based on, which is
7 comprehensive planning and a balanced
8 comprehensive plan that looks at all of the
9 elements of a community.

10 And this legislation not only is a
11 mandate, but it seems to put all the weight
12 on housing at the expense of other parts of
13 the comprehensive plan, whether it be
14 infrastructure or the protection of water or

15 natural resources or things of that nature.

16 So I -- you know, I think it's the wrong

17 approach right from the get-go.

18 The thing that I wanted to talk about

19 is, you know, in my area of Long Island I

20 would say probably 95 percent of my

21 communities already have an accessory

22 apartments law or they have an

23 apartment-over-stores law. They're trying to

24 create affordable housing, and they've done

1 it pursuant to a comprehensive plan.

2 So, you know, it's one thing to try to

3 develop housing to make sure that accessory

4 apartments are legal. But the property

5 owners have to walk through the door and want

6 to do it also. And that seems to be one of

7 the big impediments, is that, you know,

8 people don't want to spend the money to

9 legally do it on permit costs. Or it's a

10 substantial capital investment that they have

11 to make. Or they're afraid that the town tax

12 assessor is going to walk through the door

13 and reassess them upon the building of their

14 accessory apartment.

15 You know, it just seems to me that we
16 should be looking, you know, not at mandates
17 but at, as you said, incentives. Not just
18 incentives for local governments to
19 participate, but incentives to get property
20 owners to participate. You know, we want
21 people to build solar power panels on their
22 roofs. You know, we give them tax breaks, we
23 give them grants. On Long Island we want
24 people -- because we're having a water

1 quality problem, we want them to upgrade
2 their septic systems with new
3 nitrogen-removing septic systems. We give
4 them rebates, we give them a grant. It seems
5 to me that that is the correct way to go with
6 this.

7 And I was wondering if you might talk
8 about what kind of incentives -- you
9 mentioned them but didn't get into any
10 specifics -- that you think not only would be
11 incentives that would encourage local
12 governments to do more with accessory
13 apartments or maybe, you know,
14 transit-related development, but would also

15 encourage the people who live in the

16 community to actually want to do this

17 legally.

18 NYCOM EXEC. DIRECTOR BAYNES: Yeah, I

19 think you make a great point about the

20 incentives. Not only, you know, the

21 incentives and support for the local

22 governments to adopt these policies are

23 important, but also you need the same for the

24 property owners themselves to take advantage

1 of this type of zoning law.

2 And you also make a great point that

3 for a local government to adopt an ADU or

4 TOD, they have to revisit their comprehensive

5 plan, they have a whole process that they

6 have to go through to make sure it fits in

7 with the character of their community. Which

8 is why a state law that applies to every

9 municipality in the state can never work to

10 dictate how the ADUs are going to work. And

11 that's why we object so strongly to the

12 proposal.

13 I mean, in terms of our members, I

14 think the best support they could get is, you

15 know, some model local laws and regulations,
16 a statewide analysis of what does it take to
17 do this, what does it cost for a local
18 government to do it. Maybe some funding for
19 the local governments to undertake the
20 analysis of the service impacts that are
21 going to happen once these ADUs come about.

22 I mean, under the Governor's proposal
23 what isn't really considered at all is the
24 service impacts on the water system, the

1 sewer system, parking. You know, those
2 things have to be taken into account. So any
3 kind of support the state can give in local
4 governments analyzing that as they move
5 forward with this kind of zoning would be the
6 most helpful.

7 ASSEMBLYMAN THIELE: Well, thank you.

8 And, you know, we do have a housing crisis.
9 We do need to develop more housing and
10 affordable housing. I think there's probably
11 unanimity on that goal.

12 I think what we have to try to reach
13 consensus on here is what are the right tools
14 to be able to do that, you know, both for

15 local governments and for homeowners to take

16 advantage of this program.

17 And, you know, I don't like the

18 proposal as it's been put forward, but I do

19 think there's a way to get to yes on the

20 goals of this. And I look forward to really

21 working with everybody on that here in the

22 coming weeks to try to develop a proposal

23 that will result in, you know, meeting our

24 housing needs but doing it in a way where, as

1 has been said, you know, the decision-making
2 is from the bottom up, from local government
3 and from the community up, and not
4 one-size-fits-all from the top down.

5 So thank you for your comments. And
6 thank you -- you know, it's always been a
7 pleasure to work with you. And look forward
8 to continuing to do that.

9 NYCOM EXEC. DIRECTOR BAYNES: Thank
10 you, Assemblyman. And we'd be happy to work
11 with you on trying to come up with an
12 alternative way of achieving that goal of
13 more affordable housing.

14 ASSEMBLYMAN THIELE: Thank you.

15 CHAIRWOMAN WEINSTEIN: To the Senate.

16 CHAIRWOMAN KRUEGER: Thank you.

17 And now we go to our Local Government

18 chair, Jim Gaughran, for 10 minutes.

19 SENATOR GAUGHRAN: Thank you,

20 Madam Chair. And Peter, it's good to see

21 you.

22 NYCOM EXEC. DIRECTOR BAYNES: Good to

23 see you, Senator.

24 SENATOR GAUGHRAN: So of course Fred

1 going first covers 90 percent of what I was
2 going to say. But maybe we can drill down a
3 little bit more on this.

4 You know, and as Fred pointed out,
5 most of the communities I represent, they
6 already have in their code permission to do
7 an accessory dwelling unit. They're already
8 building transit-oriented development. And
9 one of the concerns I have is that in
10 particular to Long Island, which is, you
11 know, somewhat unique to the rest of the
12 state and the country, and that is all our
13 drinking water comes from a sole-source
14 aquifer. So particularly in Suffolk County,

15 we have had decades of planning and have put
16 in place a sanitary code that very
17 specifically forbids development on, you
18 know, even certain smaller lots or, in
19 addition to a single-family house, simply
20 based on the fact that it would destroy our
21 drinking water unless a sanitary, you know,
22 sewer system can be built and these new units
23 can be connected to it.

24 So I guess one of my questions is, as

1 it relates to this and zoning in particular,
2 is the language in the bill that says that
3 this process is ministerial and without
4 discretionary review or hearing, how do you
5 analyze it as it relates to planning board
6 decisions, there's an overall town board's
7 ability to change zones, and even something
8 like our Pine Barrens laws which we have in
9 Suffolk County, which has areas that have
10 minimal zoning to protect the drinking water?

11 NYCOM EXEC. DIRECTOR BAYNES: Well, I
12 mean, the language you just read, you know,
13 we feel that that's about as blanket of a
14 mandate as you can get and doesn't really

15 leave any room at the local level to take
16 into account, you know, other state laws,
17 other local laws, you know, parking issues.
18 It's just -- it's so far to the extreme from
19 being a supportive optional type of program
20 that -- I mean, that's why you're seeing the
21 reaction on Long Island and around the state
22 to the proposal.

23 It's just -- it's also out of
24 character with the rest of the Governor's

1 budget proposal. Which is why, you know,
2 we've opened up a dialogue with the
3 Governor's office to find a way where we can
4 achieve the goals that they're trying to
5 achieve in a workable way.

6 I mean, at the end of the day, who do
7 you want to decide how you and your neighbors
8 use their property? Do you want your local
9 community to decide, or do you want a state
10 agency or a state government to decide? I
11 think the answer to that is pretty clear.

12 SENATOR GAUGHRAN: Again, so you view
13 this as a preemption of all these other
14 land-use laws?

15 NYCOM EXEC. DIRECTOR BAYNES: Yes.

16 Yes, we do.

17 SENATOR GAUGHRAN: Because some are

18 arguing that it simply mandates that every

19 municipality must amend its code, and

20 therefore all local control will still

21 continue to exist.

22 NYCOM EXEC. DIRECTOR BAYNES: Yeah,

23 that's not the way we read it. And it's kind

24 of scary when we're -- the analysis of the

1 proposal is how bad of a mandate is it. I

2 mean, it's either really, really bad or

3 really bad.

4 So, you know, I side with the

5 interpretation that I described to you, that

6 it leaves no discretion at the local level.

7 That's what ministerial means.

8 SENATOR GAUGHRAN: What about -- you

9 know, on Long Island in particular, you know,

10 we have these local waterfront revitalization

11 plans that have been put in place by many

12 communities with shorelines, both to deal

13 with resiliency as well as we have a

14 stormwater runoff problem that pollutes our

15 bays, our harbors, our Long Island Sound.

16 Would you see this as preempting those

17 plans?

18 NYCOM EXEC. DIRECTOR BAYNES: You

19 know, to that specific question, Senator, I'd

20 really want to talk to our counsels here who

21 advise --

22 SENATOR GAUGHRAN: Okay. That's fine.

23 So maybe you could take a look at that and --

24 NYCOM EXEC. DIRECTOR BAYNES: Yeah, we

1 definitely will.

2 SENATOR GAUGHRAN: -- and get back to

3 us.

4 NYCOM EXEC. DIRECTOR BAYNES: We will.

5 SENATOR GAUGHRAN: Because again, I

6 think we could look to some model zoning laws

7 that have been written by some of our

8 municipalities on Long Island, some of our

9 towns and villages, and look at some

10 developments that have been done that, you

11 know, really address both this

12 transit-oriented and accessory dwelling unit

13 quite significantly, to look at this.

14 There's another section of it that I'd

15 like to get your opinion on that says that a
16 local government may not require an
17 additional or amended certificate of
18 occupancy in connection with an accessory
19 dwelling unit. So I'd like to get your
20 opinion on that. And would that impact
21 assessments in that it would bar the
22 municipality from increasing the assessment
23 of a homeowner that did this?
24 NYCOM EXEC. DIRECTOR BAYNES: Yeah, I

1 think that's an open question as well, is the
2 impact on the assessment on the property.

3 I think it would be a really
4 productive thing for us to do to sit down
5 with you, Senator, and other legislators to
6 kind of go through our analysis of these
7 detailed issues. But I think just by asking
8 the question you're raising some real
9 important issues that have to be considered
10 in looking at the bill.

11 SENATOR GAUGHRAN: And it's also been
12 described as perhaps just permitting an
13 extension of a house for, you know, like an
14 apartment or, you know, permitting a basement

15 apartment. Do you think it also permits

16 somebody to build a fully detached additional

17 home on a single lot?

18 NYCOM EXEC. DIRECTOR BAYNES: Well,

19 you know, in talking to my counsel, I guess

20 it depends on what you mean by home, but --

21 you know, what that consists of. But my

22 understanding is --

23 SENATOR GAUGHRAN: Well, another

24 dwelling, yeah. Converting a garage into a

1 home.

2 NYCOM EXEC. DIRECTOR BAYNES: Yes,
3 could you do one of those tiny houses, you
4 know, in the backyard that's not attached to
5 the house. You know, my understanding is
6 that's part of the intent of this, is to
7 allow that to happen.

8 SENATOR GAUGHRAN: And again, there
9 are communities that are doing this and
10 there's a need for this and we need
11 affordable housing. And I think there -- I
12 think if we could find a way to incentivize
13 this, this could be a very good thing.

14 NYCOM EXEC. DIRECTOR BAYNES: Yeah.

15 And we have sample local laws ourselves and
16 some models that we've put together. So we'd
17 like to be part of the mix of trying to
18 support implementation of this. As long as,
19 again, it's done at the local level and not
20 dictated by the state.

21 SENATOR GAUGHRAN: So, you know, we
22 would love to try to see if we can get more
23 AIM and more money to our local governments,
24 because in many cases this is the only money

1 you receive. So, you know, many of us will
2 work towards trying to see if we can
3 accomplish that.

4 My one question, though -- and I think
5 we need to follow up on what you think the
6 new formula should be. One of the sections
7 you may have left out is cost of living,
8 which I think is a very important factor in
9 terms of local governments, because the cost
10 of employment, the cost of healthcare, the
11 cost of even supplies and energy is different
12 based on which part of the state you come
13 from. So I suggest that maybe that should be
14 something considered in any formula change.

15 NYCOM EXEC. DIRECTOR BAYNES: I think

16 that makes sense as well, to look at that.

17 You know, part of what we're trying to

18 achieve is right now the formula or the

19 program and how it's allocated, depending on

20 the class of local government you are, it

21 treats you differently. But as you know on

22 Long Island, you have large villages there

23 that are far more urban and larger than a

24 small upstate city. So there has to be a way

1 to make sure that a local government's not

2 judged by its name, but by what it does

3 and --

4 SENATOR GAUGHRAN: Some of our towns

5 are bigger than most of our cities, so.

6 NYCOM EXEC. DIRECTOR BAYNES: Yeah.

7 SENATOR GAUGHRAN: Okay, well, thank

8 you very much, Peter.

9 NYCOM EXEC. DIRECTOR BAYNES: Thank

10 you.

11 CHAIRWOMAN WEINSTEIN: We are going to

12 go now to Assemblyman Ed Ra, ranker on Ways

13 and Means, for five minutes.

14 ASSEMBLYMAN RA: Thank you, Chair.

15 Peter, thank you. I guess I have the
16 benefit -- or not -- from going after two
17 Long Island colleagues who went into a lot of
18 the issue that I also wanted to bring up.
19 But I mean as you mentioned it with your
20 reading of this, in terms of, you know,
21 that -- one of the arguments I've heard is
22 no, it doesn't usurp local zoning, there's
23 all these decisions that can still be made.
24 But, I mean, my reading of it, it goes

1 through a bunch of things that perhaps the
2 local zoning authority could still do, but
3 then later on it basically puts very strict
4 restrictions on all those different topic
5 areas.

6 So I think one of our concerns is
7 exactly that, that it's just -- in addition
8 to being a mandate, it puts very little
9 control in the hands of those local
10 governments. Is that your reading of it?

11 NYCOM EXEC. DIRECTOR BAYNES: Yes, I
12 would agree. I mean, if somebody makes that
13 argument that it gives some discretion to the
14 local governments, at the end of the day,

15 though, the proposed law is very clear that
16 every residential unit would have to have a
17 legal right to having one ADU on it.

18 So if that's the bottom line of the
19 proposal, you know, the rest is just
20 tinkering around the edges. You're not
21 really going to be able to control what's
22 happening in your community.

23 ASSEMBLYMAN RA: So one thing that I
24 noticed within it with regard to parking --

1 and it talks about not being able to require
2 parking as long as there is, you know,
3 adjacent street parking. And from my reading
4 of it, it has I guess a little bit of a
5 carveout for if there's only seasonal
6 parking. But as you may be aware, you know,
7 many of our villages on Long Island do not
8 allow any overnight street parking. Right?
9 And one of the things this allows is garages
10 to be converted. They don't need to be
11 replaced.
12 So do you see a real potential problem
13 there that you could be putting these
14 villages in a situation where there is not

15 someplace that somebody would be able to park

16 their vehicle under the language of this

17 proposal?

18 NYCOM EXEC. DIRECTOR BAYNES: Yes,

19 that is definitely one of our big concerns.

20 In addition to the impact on water and sewer

21 services and other services, it's the

22 practical consideration of parking. And the

23 little bit of control we would have over

24 parking that's cited in the proposal we don't

1 think is meaningful at all. And in the type
2 of communities you describe, where there's no
3 overnight parking, you know, it's going to be
4 a real issue basically expanding the
5 population of the municipality and the number
6 of cars when you don't -- you're not doing
7 anything about expanding the amount of
8 parking.

9 ASSEMBLYMAN RA: Thank you.

10 And then the last thing -- and I think
11 that's great, the idea of trying to really
12 come up with a new formula for AIM. As you
13 know, there's the -- and on the positive
14 side, right, we're moving away from what

15 happened a few years ago with that taking the
16 money from basically -- I always said it's
17 coming out of one pocket and into the other
18 in terms of our local governments. So that's
19 good.

20 But certainly modernizing that I think
21 is an excellent idea, and I look forward to,
22 you know, discussions in that regard.

23 But as you know, it's been flat for so
24 long that it became less and less, really, of

1 something that could be relied upon. But
2 what are the types of things you see the
3 local governments able to do if they were
4 able to get some meaningful increase in AIM
5 like you talked about, if it was that
6 5 percent, north of \$300 million, that could
7 have gone to our local governments?

8 NYCOM EXEC. DIRECTOR BAYNES: Well,
9 you know, I kind of alluded to this in terms
10 of, you know, there's been an infusion of
11 federal money that all local governments have
12 received, but it's very restrictive how it
13 can be used. It's generally, you know, for
14 capital purposes, and it's a one-time

15 infusion. So some people want to cite that
16 as there's no need for local governments to
17 get any more aid because they're rolling in
18 the cash, and that is not the case.

19 And I use the term operational aid.
20 That's what local governments need. I mean,
21 to do all the basic things they do -- police
22 on the streets, you know, their firefighters,
23 planning and zoning that we've just spent a
24 lot of time talking about. Their water and

1 sewer systems, code enforcement. I mean,
2 everything they do is service-based, which
3 means it's people-based. And they don't --
4 there's no aid they receive right now that
5 helps them pay the costs of people, their
6 employees, paying their employees for
7 providing the services.

8 And as everybody knows, finding
9 employees now is getting more and more
10 difficult. The cost of paying employees is
11 rising. So, you know, I think it would go to
12 all of that.

13 And we've said in our proposal even if
14 there was an annual reporting that the local

15 governments would have to do just sort of
16 summarizing how they use the money so that it
17 just didn't seem like state legislators and
18 the Governor could never really talk about
19 all the good the program did, because nobody
20 can say what it went to. You know, we are
21 fine with that too if it's done in a kind of
22 a streamlined, summary-type way.

23 But, you know, something has to
24 change. And just drive around New York State

1 and, you know, see how local governments are
2 doing, and they're under a lot of fiscal
3 stress. And the state needs to be a partner.
4 Not at the level of what they are with
5 schools, but there's got to be an
6 acknowledgement that municipalities play an
7 important role in the upbringing of our
8 children, the safety of our communities, and
9 the economic development that our state
10 depends upon.

11 ASSEMBLYMAN RA: Thank you.

12 CHAIRWOMAN WEINSTEIN: Thank you.

13 We send it back to the Senate.

14 CHAIRWOMAN KRUEGER: Thank you very

15 much. And I believe our next testifier is

16 Ranker Ed Rath.

17 SENATOR RATH: Thank you very much,

18 Madam Chair.

19 And Peter, it's good to see you, and

20 thanks for your patience today. It's been a

21 long day.

22 NYCOM EXEC. DIRECTOR BAYNES: You too.

23 SENATOR RATH: My first question has

24 to do with local and state collaboration.

1 And the past administration, the previous
2 governor was really no fan of local
3 collaboration; I think we can all kind of
4 agree on that. And this current
5 administration seems to be more open to
6 working with local municipalities.

7 Is that in fact the case? And can you
8 expand on that a little bit and describe the
9 new positive working relationship between
10 this current administration and our local
11 municipalities and cities?

12 NYCOM EXEC. DIRECTOR BAYNES: Yeah, I
13 would say there's been a 180-degree change.
14 And it hasn't just been, you know, the words

15 coming out of the Governor's mouth, it's been
16 the way they've -- her administration's been
17 interacting with us. You know, since she
18 came into office, you know, we talk about all
19 these issues, even issues we don't agree
20 upon. There's a dialogue with them. The
21 Governor's coming to speak to our membership
22 on Monday, which it's been a long, long time
23 since we had a governor come speak to our
24 mayors at our annual legislative conference.

1 So, you know, we're really encouraged
2 by the relationship. I think, you know, the
3 Governor's background as a local official is
4 really going to bode well for her service as
5 our Governor and for local governments
6 themselves.

7 SENATOR RATH: Well, I couldn't agree
8 with you more. And many of us come from a
9 local government background, and we served in
10 cities, towns, villages, counties, whatever
11 it may be, so we have an understanding -- and
12 so does the Governor. I think that's very
13 helpful.

14 I want to ask a little bit more of a

15 specific question about the impact of
16 COVID-19 on businesses and local economies.
17 And they've been really left, in many ways,
18 in a state of disarray. And as State
19 Senators and Assemblymen, how can we help to
20 better partner with our communities as they
21 look to repair and rebuild as they come out
22 of this pandemic?
23 And secondly, I guess the follow-up
24 question to that is, is there just simply

1 more funding or are there specific policies
2 that your members are talking about statewide
3 that we can do to offer that assistance?

4 NYCOM EXEC. DIRECTOR BAYNES: Yeah.

5 Well, you know, our members, with the money
6 they've received from Washington, you know,
7 under the ARPA program, one of the key
8 purposes for which they can use it is to
9 support small business. And, you know, I
10 know our mayors are trying everything they
11 can to help small businesses get back up on
12 their feet. I know Mayor Sheehan was on
13 earlier and talked about -- you know, she's
14 had a very sort of open process for deciding

15 how to use their ARPA funding, and they've
16 dedicated a lot of it to using it for groups
17 that either are small businesses or support
18 small businesses.

19 So I think from a municipal level, the
20 best thing you can do for us to help small
21 business is to allow us to provide the best
22 services, to have the best infrastructure.

23 Which is a lot of what you're doing with the
24 water, sewer and transportation money. But

1 again, not to harp all the time in AIM, but

2 I'm going to. I mean, the more fiscal

3 stability and sustainability a municipality

4 has, the more it can do to support its small

5 businesses.

6 SENATOR RATH: And just to follow up

7 on that briefly, you know, you talk about the

8 AIM formula, and certainly I think we need to

9 look at that. The COLA was a -- there was a

10 drumbeat, a resounding drumbeat, a consistent

11 drumbeat about making a COLA adjustment to

12 that.

13 And also something I'm going to ask

14 later is about, you know, shared services and

15 collaboration amongst governments. And, you
16 know, I think there's really an opportunity
17 for that to be explored. And it's more of a
18 countywide issue, I understand that, but I
19 think there's opportunities amongst all
20 municipalities to share services for
21 efficiencies and cost savings and eliminate
22 redundancies.

23 NYCOM EXEC. DIRECTOR BAYNES: Yeah, I
24 mean, we think -- there's always more that

1 can be done, but we do think local
2 governments and I know in your part of the
3 state that the villages and towns and
4 counties work together pretty well. They're
5 always looking where it makes sense to do
6 things collaboratively, and some productive
7 programs have come out of the whole
8 countywide shared services initiative.

9 So I think, you know, the local
10 government officials' eye on -- you know,
11 they can't take their eye off that efficiency
12 with local governments, and I think for the
13 most part they don't. I think that's
14 something they're always looking to do.

15 SENATOR RATH: Well, again, Peter,

16 thank you for all of your leadership and hard

17 work and advocacy, and I look forward to

18 keeping in touch.

19 NYCOM EXEC. DIRECTOR BAYNES: Thank

20 you very much.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 We go to Assemblyman Otis.

23 ASSEMBLYMAN OTIS: Thank you, Helene.

24 And Peter, nice to see you.

1 NYCOM EXEC. DIRECTOR BAYNES: You too,
2 Assemblyman.

3 ASSEMBLYMAN OTIS: You're doing a
4 great job advocating for our local
5 governments, and keep up the good work.

6 I wanted to go to a topic that's been
7 discussed earlier today and hear what you're
8 hearing from local governments about the
9 cybersecurity risks and threats that they're
10 encountering.

11 And one question I have is, you know,
12 so often we hear about these after the
13 incident has happened. What resources are
14 available, and who are local governments

15 going to for prevention? What are you

16 hearing from your members?

17 NYCOM EXEC. DIRECTOR BAYNES: Well, I

18 mean, I think your approach to this is spot

19 on, and that's the approach we're trying to

20 take as an association, along with the

21 Association of Towns, Association of

22 Counties, is to try to get our people to

23 prepare and prevent, you know, these

24 incidents happening.

1 You may not -- you probably are aware,
2 Assemblyman, but not everybody on the call
3 here, on the Zoom, that there's an insurance
4 program in New York, the New York Municipal
5 Insurance Reciprocal that was formed under
6 the Insurance Law by the three municipal
7 associations back in 1987. We insure more
8 than 900 municipalities around the state, and
9 this issue of cyber risk is at the top of our
10 priority list. It has been for the last
11 several years.

12 The three associations and the folks
13 at NYMIR have been meeting with the
14 Governor's administration, with ITS and DHSES

15 and also with the Office of the State

16 Comptroller to find, you know, more effective

17 ways to improve local governments' cyber

18 hygiene and to try to get local governments

19 thinking about this as something that they

20 just don't wait till it happens and then

21 address it.

22 You know, our biggest fear, and where

23 we think the state could help, is we have

24 this fear that because local governments have

1 so many interactions technology-wise with the
2 state, whether it's with the retirement
3 system or with the State Comptroller's office
4 or the annual financial reports they've
5 filed, that if there was ever a cyberattack
6 that got into local governments through one
7 of these state agencies that interacts with
8 local governments, then we'd have a really,
9 really big problem where it wouldn't just be
10 a one-off here or there of cyberattacks, but
11 they could hit hundreds of municipalities at
12 the same time.

13 So, you know, we're doing everything
14 we can. The Association of Counties -- I

15 know Steve Acquario's going to be on -- they
16 led the charge in putting together a primer
17 for local officials that we just put out this
18 week to try to get elected officials up to
19 speed on what this is all about and what they
20 can do locally to prevent attacks.

21 ASSEMBLYMAN OTIS: Thank you, Peter.

22 And I'll just say everyone should know

23 NYCOM has a great staff. You do have a great
24 team that helps all the local governments

1 during the course of the year. So a shout

2 out to everybody on your team.

3 NYCOM EXEC. DIRECTOR BAYNES: Thank

4 you very much.

5 CHAIRWOMAN WEINSTEIN: Back to the

6 Senate.

7 CHAIRWOMAN KRUEGER: Thank you very

8 much.

9 And I think we are closing with

10 Senator O'Mara.

11 SENATOR O'MARA: Thank you,

12 Senator Krueger.

13 Peter, good to see you today. Thanks

14 for being with us.

15 NYCOM EXEC. DIRECTOR BAYNES: Hi,

16 Senator.

17 SENATOR O'MARA: Glad to hear you're

18 sharing some optimism on repairing the

19 relationships between state government and

20 local governments. Really glad to hear that.

21 It's really been a decade of a decline of a

22 working-together attitude across New York

23 State. So I'm really pleased to hear that

24 that's actually improving.

1 You know, there's a lot of money
2 sitting around Albany right now and, you
3 know, a thousand ideas on how to spend it.
4 One of the issues that I, you know, have
5 worked on for years is trying to chip away at
6 the unfunded mandates. And I know we're
7 going to hear from Steve Acquario that bears
8 the brunt of, you know, the large ones,
9 anyways, that come down.

10 But at the NYCOM level, at the village
11 and city level, are there significant
12 mandates that you could itemize that we
13 should be looking at taking back the cost of
14 those while we are apparently flush with

15 cash?

16 NYCOM EXEC. DIRECTOR BAYNES: Well, I

17 mean, the biggest mandate right now, if you

18 asked the average city or village official,

19 they probably would say first and foremost is

20 the prevailing wage requirements and the

21 feeling that -- they understand the need for

22 prevailing wage, but they don't think the

23 system works well in terms of the added cost

24 of doing a project when it's subject to

1 prevailing wage.

2 And as you know, year in and year out

3 it seems like the prevailing wage and its

4 applicability has expanded by the State

5 Legislature. So, you know, that's a really

6 big one.

7 A smaller one that the Governor's

8 trying to address, which I don't

9 understand -- I mean, I understand

10 politically maybe why it's not happening, but

11 logic doesn't understand why it wouldn't

12 happen, that the interest rate on judgments

13 that the state and local governments pay

14 right now is 9 percent, is the interest rate,

15 rather than an adjustable rate. Yes, I know
16 interest rates are going up a bit, but
17 they're nowhere near 9 percent. And local
18 governments -- you know, that's just a gift
19 that local governments can't afford to pay
20 that they're paying, you know, on judgments
21 and claims against them.

22 So we'd love to see the Legislature
23 fix that.

24 SENATOR O'MARA: Yeah, I agree with

1 you there, and it's something we've been
2 working on and trying to get fixed and have
3 it tied to a more -- more current interest
4 rate that's in the market somehow on that and
5 just haven't been able to crack that nut.
6 I'd like to see that happen.

7 On the prevailing wage, certainly it's
8 important when tax dollars are at use. You
9 know, we're paying, you know, a decent wage
10 for that work to be done. But it is a
11 mandate from the state that does impact you
12 on local projects. Is NYCOM or any of the
13 groups gotten any study together on what that
14 additional cost is to municipalities across

15 the state? And, you know, maybe that's

16 something that the state should look at

17 subsidizing local governments for.

18 NYCOM EXEC. DIRECTOR BAYNES: Yeah, we

19 as an association haven't tried to calculate

20 that. I mean, we have focused on what you

21 alluded to, and that's finding a way of

22 measuring what the prevailing wage rate

23 should be for a particular area. We don't

24 think the current methodology for calculating

1 it really reflects what's supposed to be a
2 fair prevailing wage in many communities,
3 especially in upstate New York.

4 So that's the thing we've been trying
5 to get fixed, because I think our members
6 understand you need to pay the prevailing
7 wage, but they just want to make sure it's
8 not way above and beyond that.

9 SENATOR O'MARA: That it's actually
10 the prevailing wage and not --

11 NYCOM EXEC. DIRECTOR BAYNES: Yes.
12 Yes.

13 SENATOR O'MARA: -- inflated. No, I
14 hear you.

15 Well, thank you very much, Peter.

16 Have a great day.

17 NYCOM EXEC. DIRECTOR BAYNES: Thank

18 you, Senator.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 We go to Assemblyman Jacobson.

21 ASSEMBLYMAN JACOBSON: Thank you.

22 Thank you, everybody, for hanging in there as

23 we start the ninth hour very soon.

24 The Conference of Mayors has always

1 been a great resource to local government.

2 When I was on the city council in Newburgh,

3 we were able -- we used -- I used it a lot,

4 very helpful.

5 I'm glad that you mentioned about the

6 rate of reimbursement for state highways that

7 go through cities -- Poughkeepsie is one

8 example. It hasn't changed, they need it.

9 But I'm -- also on the accessory units, do

10 you think that this would just wipe out the

11 environmental impact statement? I mean,

12 wouldn't there still be a need, wouldn't

13 there still be -- would that be a conflict

14 with that?

15 NYCOM EXEC. DIRECTOR BAYNES: We do

16 think that that's again -- we're limited to

17 the comprehensive plan that has to always be

18 revisited before you make -- locally make a

19 change to do ADUs or TODs. But you also have

20 to look at the environmental impact, and we

21 don't see that in the proposal being, you

22 know, taken into account -- again, because

23 it's just an absolute mandate of being able

24 to --

1 ASSEMBLYMAN JACOBSON: Yeah, I think
2 we can do -- I've got to move quickly.
3 You know, one of the things is that if
4 you had a new development that was 1500 units
5 of some sort, the town would say, oh, my God,
6 how can we -- is there enough water, sewer?
7 You know, are we going to have enough --
8 how's the traffic going to be? Well, this
9 easily can go to that and beyond without
10 thinking, without the planning.
11 And that's why I just want to say
12 there's just so many unintended consequences
13 of this that have to be addressed. You have
14 to have owner occupied before you can do it.

15 Well, how are they going to enforce that all
16 the time? Will this mean there's more B&Bs
17 happening when people don't want that?
18 I mean, there are all these things
19 that we have local zoning for, and I just
20 think that -- the problem with taxes. If you
21 want people to do it, well, maybe what we
22 should do is have a pilot so that people do
23 not have to -- for the structural and
24 bringing your house up to code for another

1 unit, then maybe we could delay the full

2 taxes on that to the homeowner.

3 So these are the things that I think

4 have to be thought about. And there's not

5 enough time here. I just want to say I

6 appreciate it and I hope that all of us would

7 think about the unintended consequences while

8 we go for certain goals here. There's a way

9 to do it, but I think this -- it has to be

10 done with the local government. And I think

11 my time is up, so I have to stop.

12 NYCOM EXEC. DIRECTOR BAYNES: We

13 concur, Assemblyman.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 So Peter, that concludes all of the
16 questioners from the Assembly and Senate.
17 Thank you for spending some time with us as
18 we go through the budget process.

19 NYCOM EXEC. DIRECTOR BAYNES: Thank
20 you.

21 CHAIRWOMAN KRUEGER: Thank you very
22 much, Peter.

23 CHAIRWOMAN WEINSTEIN: So next we are
24 going to -- our next witness is the New York

1 City Council, the Honorable Adrienne Adams,
2 speaker of the City Council.

3 And I see that she has brought some
4 people with her. Behind that mask I see
5 Justin. He I can recognize.

6 (Laughter.)

7 CHAIRWOMAN WEINSTEIN: -- as the
8 New York City Council finance chair. Can you
9 identify the person to your right?

10 NYC COUNCIL SPEAKER ADAMS:
11 Absolutely. This is our new chief financial
12 officer and deputy chief of staff of finance,
13 Tenisha Edwards.

14 MS. EDWARDS: Hello.

15 CHAIRWOMAN WEINSTEIN: So since this

16 is your first time here, I just want to

17 explain your testimony has been circulated to

18 all of the members here. You have up to

19 10 minutes. Feel free to use less than that

20 time. And then there will be some questions

21 from the Assembly and Senators who are still

22 with us today.

23 So feel free to begin.

24 NYC COUNCIL SPEAKER ADAMS: Thank you

1 very much. And good afternoon, Chair

2 Krueger, Chair Weinstein, Ranking Minority

3 Members O'Mara and Ra, all the members of the

4 Senate Finance and Assembly Ways and Means

5 Committee. I thank you for your time today,

6 and I also thank Majority Leader

7 Stewart-Cousins and Speaker Heastie.

8 I'm Adrienne Adams, speaker of the

9 New York City Council and the representative

10 of Council District 28 in Southeast Queens.

11 As you've said, Madam Chair, I am joined here

12 today by the Council's Finance Committee

13 chair, Councilmember Justin Brannan, and our

14 new chief financial officer and deputy chief

15 of staff for finance, Tenisha Edwards.

16 I'm pleased to be before these

17 esteemed bodies to discuss the Executive

18 Budget for state fiscal year 2023 and its

19 potential impact on New York City.

20 I was raised in Queens, the daughter

21 of union workers. I'm the product of our

22 public school system. I previously worked in

23 the private sector and my roots in public

24 service were at the local level, chairing

1 Queens Community Board 12.

2 From government representation at the
3 local level, we know how our budgets impact
4 communities. Neighborhoods like the ones
5 that I represent have historically been
6 underfunded and underserved. This pandemic
7 has laid bare how this disproportionately
8 harms New Yorkers in many parts of our city
9 and state. Black and brown communities were
10 among those hardest hit by COVID-19, and also
11 least prioritized for resources to protect
12 them. Inequities that could be papered over
13 before the pandemic have since been revealed
14 to be critical fault lines that not only

15 undermine the communities experiencing them

16 but the entire city and state.

17 We find ourselves in a moment that is

18 both difficult due to the pandemic and one

19 that holds promise. We now have an

20 opportunity to address some of our

21 longstanding systemic challenges. The

22 council looks forward to working in

23 partnership with you to ensure neighborhoods

24 that were forgotten in the past are no longer

1 underserved but instead are prioritized for
2 key investments in public health and safety,
3 education, housing, and economic recovery.
4 Together the state and city can pave the
5 pathway to a healthier and safer New York for
6 all.

7 New York City continues its slow
8 recovery from this COVID-19 pandemic.
9 Employment is up 600,000 jobs compared to its
10 low points in the spring of 2020. However,
11 this is still 330,000 jobs below our
12 pre-COVID peak. The city is in a stable
13 fiscal position with tax collections
14 exceeding our projections and some remaining

15 budget reserves. However, significant fiscal
16 risks remain in the latter part of New York
17 City's financial plan which could be
18 aggravated if changing work habits lowered
19 the value of Manhattan office space. As
20 speaker, I intend to prioritize careful
21 management of the city's budget.

22 The council applauds the Governor's
23 effort to increase state budgetary reserves.
24 This will improve the stability of the

1 state's budget and reduce the likelihood that
2 unexpected dips in state revenue lead to
3 budget cuts impacting our residents. The
4 council is also pleased that this budget
5 reflects a new era of goodwill and
6 collaboration between our state and city,
7 including the proposals to extend mayoral
8 control of schools for four years and
9 cost-sharing of New York City's Medicaid
10 growth.

11 I'm also encouraged by the increased
12 eligibility thresholds for vital safety net
13 programs, including public assistance,
14 childcare, and health insurance. This

15 extension of support to struggling families

16 is critical as we recover from the pandemic.

17 There are several additional proposals

18 in the State Budget that the council

19 supports, even if additional efforts may be

20 needed in some areas. Access to childcare

21 was an issue before the pandemic, and if

22 anything, the pandemic has further

23 exacerbated the issue. We're happy to see

24 the over \$900 million investments for

1 childcare over the next three years to
2 increase childcare worker wages and add
3 capacity, as well as the increase of the
4 family income eligibility threshold.

5 Additionally, the \$4.8 million to
6 establish additional childcare facilities on
7 CUNY campuses is a smart investment in young
8 children and their parents seeking higher
9 education.

10 Our small businesses are key to the
11 state's economic recovery. We support the
12 Governor's \$1 billion small business plan and
13 ask that the city's small businesses receive
14 their fair share of this funding. We're

15 grateful that the federal Infrastructure
16 Investment and Jobs Act will fund the Gateway
17 Tunnel project and express the need for
18 additional federal infrastructure dollars
19 coming into New York to support other major
20 projects that advance equity and job creation
21 in other parts of the city.

22 The commitments to grow the state's
23 healthcare workforce by 20 percent over the
24 next five years and provide \$1.2 billion in

1 bonuses for certain frontline healthcare and
2 direct support workers who have tirelessly
3 served our communities are essential. The
4 city has been disproportionately impacted by
5 this pandemic, and it is critical that we
6 receive our fair share and ensure our nurses
7 are included in this proposal.

8 We also support the tripling of
9 investments into hospital-based and
10 community-based violence prevention with the
11 state's proposed \$95 million allocation.

12 This welcome state support should be
13 distributed equitably to support New York
14 City neighborhoods suffering the impact of

15 violence.

16 On education, the increase in school

17 aid is much needed and the Executive Budget

18 continues the promise to meet the Campaign

19 for Fiscal Equity mandate by allocating

20 \$8.9 billion in Foundation Aid. I expect the

21 DOE similarly to provide all of our schools

22 with 100 percent of their Fair Student

23 Funding next year. We also fully support the

24 tuition rate increase of 11 percent to help

1 preschool special education providers address
2 the early education needs of students with
3 disabilities, which often goes overlooked.

4 We also commend the Governor's support
5 for higher education and the proposed plan to
6 make higher education more affordable and
7 accessible by maintaining CUNY's State
8 Operating Aid levels and protecting community
9 colleges from cuts due to pandemic-related
10 enrollment declines.

11 The proposed expansion of the Tuition
12 Assistance Program, or TAP, to part-time and
13 working students is a smart step to increase
14 access to higher education. Closing the

15 \$59 million difference between TAP funding
16 for students and actual tuition costs, known
17 as the TAP gap, is also critical.

18 The proposal to remove TAP
19 restrictions on incarcerated New Yorkers is a
20 smart investment, given the evidence showing
21 how access to higher education can reduce
22 recidivism.

23 In the area of public assistance, the
24 Governor's proposal to allow an increase in

1 the amount of earned wages and savings
2 allowed for recipients before losing
3 eligibility would be a lifeline to
4 New Yorkers recovering from the pandemic.

5 And on public housing, the state's
6 most recent allocation of \$450 million in
7 capital funding to address boiler
8 replacements and elevator car replacements in
9 New York City Housing Authority developments
10 is greatly appreciated. NYCHA's capital
11 needs equate to \$31.8 billion, and we ask the
12 state to consider allocating more funding to
13 complement the city's \$2.9 billion allocation
14 to support it.

15 There are several areas where the
16 state can restore previous funding cuts or go
17 further in its current proposals. On
18 healthcare, while we applaud the proposal to
19 expand eligibility for healthcare in the
20 Essential Plan to 250 percent of the federal
21 poverty level, we encourage you to consider
22 additional strategies to extend coverage to
23 the more than 1 million New Yorkers who
24 remain uninsured.

1 We also urge the state to end its
2 interception of city sales tax revenue for
3 the Distressed Providers Fund and award the
4 funds already collected to the city's Health
5 + Hospitals system.

6 The American Rescue Plan's state
7 fiscal recovery funds are a lifeline, and the
8 state should direct a portion to New York
9 City's healthcare infrastructure.

10 It is critical that state and city
11 work closely together to ensure that final
12 submission of the state's Medicaid 1115
13 waiver to the federal government prioritize
14 funding for the city's focus on health

15 equity, particularly for low-income

16 communities of color.

17 On mental health, the state has

18 partnered with the city to support outreach

19 that transitions individuals living on the

20 street into stable housing and treatment.

21 There is a need for more focus and resources

22 to address the mental health needs of

23 New Yorkers, including those who are

24 homeless, especially given the recent

1 incidents in the city.

2 One education concern that we have is
3 the impact of our time-limited extraordinary
4 federal aid on the charter school tuition
5 formula. The federal stimulus funds should
6 be excluded from the state's calculation of
7 charter school tuition payments so that there
8 is not an undue increase in the city's
9 funding liability for charter school tuition
10 payments.

11 I would also like to remind you that
12 New York City continues to feel the impact of
13 prior state budget cuts that targeted our
14 city. Reduced state funding for public

15 health programs, Temporary Assistance for
16 Needy Families or TANF grants, foster-care
17 tuition, and special education placement in
18 residential schools, as well as the complete
19 elimination of state support for the Close To
20 Home program for young people in the juvenile
21 justice system, has left a \$180 million hole
22 in our city budget.

23 On housing, the council is hopeful
24 that the governor and mayor's request for

1 more federal funding for the Emergency Rental
2 Assistance Program will be fulfilled, yet we
3 urge the state to consider allocating a
4 backstop as a contingency if additional
5 federal dollars do not materialize.

6 Major economic and housing proposals
7 like the proposed 485-w tax break to replace
8 421-a, and those related to casinos, require
9 careful consideration and conversation with
10 the city and other stakeholders. We
11 encourage these to be separate conversations
12 apart from and subsequent to the budget
13 process, so they receive the devoted focus
14 they require.

15 Lastly, we urge the state to
16 permanently authorize design-build authority,
17 rather than granting the proposed three-year
18 extension, to enhance construction efficiency
19 and engage constructively with the city on
20 reforming our city property tax system to
21 make it fairer and more transparent.

22 We are at an important juncture for
23 our state and city. I thank you for your
24 time and attention today and look forward to

1 our continued productive partnership to enact
2 a state budget that supports the City of
3 New York and every person who calls it home.

4 Thank you.

5 CHAIRWOMAN WEINSTEIN: Thank you,
6 Council President.

7 We go to the chair of our Cities
8 Committee, Assemblyman Ed Braunstein, for
9 10 minutes.

10 ASSEMBLYMAN BRAUNSTEIN: Thank you,
11 Chair Weinstein.

12 And it's good to see you,
13 Speaker Adams, from Queens County.

14 NYC COUNCIL SPEAKER ADAMS: Wonderful

15 to see you, Assemblyman.

16 ASSEMBLYMAN BRAUNSTEIN: Yes. And

17 also thank you for joining us,

18 Chairman Brannan and Ms. Edwards. We

19 appreciate -- it's been a long day, and we

20 appreciate you guys hanging around to

21 testify.

22 I'm just going to touch on two topics,

23 the first being, as you mentioned in your

24 testimony, the desire for comprehensive

1 property tax reform. This is something that,
2 you know, we've talked about at the city and
3 state level for a very long time but, you
4 know, never get around to accomplishing.

5 And I'm just wondering if the council
6 as a body has developed a roadmap to follow
7 as to how they want to accomplish this. I
8 know it's something that we need to pass in
9 Albany, but obviously since it has such a big
10 impact on the city's finances, it's going to
11 have to be done in coordination with you as
12 well. So do you have a plan?

13 NYC COUNCIL SPEAKER ADAMS: We are
14 still working on that, Assemblymember. And

15 again, it's very good to see you in this

16 environment as well.

17 The reform plan released by the recent

18 commission presents a good plan, but there

19 are still issues to be resolved before the

20 city can move forward. For example, the plan

21 includes a circuit breaker, which is a

22 critical tool to provide relief for low- and

23 moderate-income homeowners and to prevent

24 displacement. But that reform commission

1 neglected to identify a funding source for
2 the tool.

3 We know that people have waited far
4 too long for this, so we want to move
5 quickly, but we do have to get it right.

6 ASSEMBLYMAN BRAUNSTEIN: Sure. And it
7 seems like already you've started the process
8 and you've already identified some things you
9 don't like. So it's encouraging. And, you
10 know, I hope we can continue to communicate
11 moving forward, because in my district in
12 Northeast Queens we pay some of the highest
13 effective property taxes in the city and it's
14 been an unfair system for too long and we'd

15 like to see that changed.

16 The other area that I wanted to touch

17 on, which has been a big topic of discussion

18 for local governments throughout the day, is

19 the Governor's proposal to legalize accessory

20 dwelling units. She has proposed a statewide

21 approach to legalizing ADUs, as they're

22 called. In my opinion it kind of circumvents

23 the city's zoning and planning process.

24 Does the council have a position on

1 the Governor's proposal regarding ADUs?

2 NYC COUNCIL SPEAKER ADAMS: Well, we

3 welcome, certainly welcome a discussion about

4 how we can improve housing production and

5 affordability not just in the city but in the

6 suburbs and surrounding communities where

7 many city workers live. We know that these

8 are complicated issues with long-term

9 impacts. So again, we think they're better

10 discussed after the State Budget, when more

11 attention can be given.

12 ASSEMBLYMAN BRAUNSTEIN: Great.

13 Great. I agree. It's not really a

14 budget-related issue, it's more of a policy

15 matter and it should be pulled out and

16 discussed separately.

17 So those are my two questions. Once

18 again, thank you for hanging around this late

19 into the evening. And it was good to see

20 you. Thank you for testifying.

21 NYC COUNCIL SPEAKER ADAMS: A

22 pleasure. Thank you.

23 CHAIRWOMAN WEINSTEIN: We go to the

24 Senate now.

1 CHAIRWOMAN KRUEGER: Thank you very

2 much.

3 And welcome with your first visit up

4 here, new speaker of the City Council. And

5 anyone who knows New York City government

6 knows they're doing evening meetings all the

7 time also --

8 (Laughter, overtalk.)

9 NYC COUNCIL SPEAKER ADAMS: Exactly,

10 Senator.

11 CHAIRWOMAN KRUEGER: So you're just on

12 a Zoom somewhere different tonight, no

13 difference.

14 Our first speaker is Senator

15 Sepúlveda, our chair of the Cities Committee.

16 SENATOR SEPÚLVEDA: Good evening,

17 Madam Speaker, Chairman Brannan, Ms. Edwards.

18 I want to commend you on your patience in

19 waiting this long, but hopefully it was well

20 worth it.

21 NYC COUNCIL SPEAKER ADAMS:

22 Absolutely.

23 SENATOR SEPÚLVEDA: Ed Braunstein

24 keeps beating me to the punch on the issue of

1 the property tax, changes in the property tax
2 system in the City of New York. But what I
3 have for you is a question that's more
4 targeted to the kind of community that I
5 represent.

6 I am the chair of Cities 1, and as
7 I've told other representatives that have
8 spoken from the city, that I am here to work
9 with you in any possible, any form that I
10 can, to bring the best that we can for the
11 City of New York. That's a responsibility
12 that's been given to me, and I take that very
13 seriously. And I hope that we can partner on
14 anything that you need assistance with at the

15 state level.

16 But my question is more in terms of

17 communities like the one I represent. I'm

18 sure it's not that much different from your

19 community. One of the poorest districts

20 probably in the country is the area that I

21 represent in the Bronx. And I know that you

22 very eloquently spoke about some of the

23 programs from the Governor, the federal

24 government, and things that you approve. But

1 I also know that as the speaker of the
2 City Council you have a large say in the way
3 policy goes in the City of New York and
4 budgets, the way they go in the City of
5 New York and in my district.

6 I want to know what kind of impact you
7 can have directly on the economic
8 development -- you know, we have the highest
9 unemployment rate -- and the educational
10 system. Aside from what the Governor has
11 given us and the federal government, what the
12 City Council can do to make a considerable
13 drastic change in the trajectory of the
14 economic development in our communities and

15 the graduation rates that are the lowest in

16 the State of New York, certainly. What you

17 can do -- financially, policywise -- to make

18 a drastic change in our communities.

19 NYC COUNCIL SPEAKER ADAMS: I like the

20 question a lot, Senator. It's great to see

21 you as well.

22 SENATOR SEPÚLVEDA: Thank you.

23 NYC COUNCIL SPEAKER ADAMS: And you're

24 absolutely right. The area that you're

1 responsible for is a lot like the area,
2 District 28 in Southeast Queens, that I
3 represent as well. So your question is very
4 germane and very important.

5 What we've seen in the past has been
6 drastic inequity across the board for
7 communities of color. And we've of course
8 seen everything exacerbated by the pandemic.

9 What we intend to do in the New York City
10 Council is spread across the board equity.
11 We are represented now in every corner of the
12 New York City Council, communities and
13 representation that look like communities of
14 color, that look like the communities that

15 they represent. And we are in full force to

16 support those communities, be it through the

17 education system, be it through equitable and

18 affordable housing and what that looks like

19 to us and may not look like to everyone else,

20 meaning bringing forth creative affordable

21 housing, some things that we have not looked

22 at in the past. For me, I'm a fan of the

23 basement apartments and legalizing those to

24 make more affordable housing across the board

1 for people that have never been able to

2 afford it before.

3 So what the City Council can do -- and

4 I believe we have done -- is become a part

5 and partner of those that live in our

6 communities who look like us, that have been

7 underserved for so long. Our commitment is

8 to represent those communities because we

9 live in those communities and we see

10 firsthand the impact of inequity across the

11 board. We'll do everything in our power to

12 create an equitable system, be that

13 legislatively, be that financially when it

14 comes to the budget and restoring budgetary

15 items within our City Council lines and

16 working with the mayor and the

17 administration, of course, to ensure equity

18 across the board.

19 SENATOR SEPÚLVEDA: Okay. You've

20 heard I'm sure about the mayor's blueprint

21 plan on criminal justice reform, bail reform.

22 It's fair to say that there's been an

23 incredible amount of fearmongering going on

24 with respect to bail reform and a lot of

1 misinformation.

2 What is your position as speaker of

3 the City Council with respect to the mayor's

4 blueprint plan for fighting high levels of

5 crime that exist in the city now?

6 NYC COUNCIL SPEAKER ADAMS: I've said

7 in the past when it comes to the blueprint,

8 number one, I'm glad that there is a

9 blueprint. A blueprint gives us something to

10 work from and work with. So it's something

11 that has to be discussed, something that has

12 to be reckoned with, with a whole lot of

13 players, state and city included. So we

14 should all have a voice when it comes to the

15 blueprint, when it comes to working through
16 it, when it comes to resolving some of those
17 issues of concern, quite frankly, that some
18 of us have.

19 What we don't want to do is go back to
20 business as usual when it comes to the
21 treatment of citizens who have been
22 marginalized in our city. So I welcome the
23 conversation, the ongoing conversation
24 regarding the blueprint to hammer it out and

1 to work through some of those things to come
2 to a rightful consensus.

3 SENATOR SEPÚLVEDA: Well, I really
4 appreciate that. I think we all must
5 remember the reason why we had criminal
6 justice reform in the State of New York. We
7 have to remember that we had a two-level,
8 two-tier system for those that are wealthy
9 and those that are poor and primarily living
10 in our communities. And so we can never --
11 we should never forget that. But hopefully
12 we can get to a consensus that everybody
13 agrees with.

14 But we have to keep in mind always why

15 we are where we are, why we made the reforms.

16 We should not have two different levels of

17 the criminal justice system in the state and

18 certainly not in the City of New York. And

19 so hopefully we can get to a point where

20 everyone's satisfied and we can stop the

21 intense fearmongering that's been going on

22 with our criminal justice reform packages

23 that we passed a couple of years ago.

24 That's all for me today. Thank you so

1 much. And I really look forward to working

2 with you. And Justin, you look a lot more

3 handsome with a mask on.

4 (Laughter; cross-talk.)

5 CHAIRWOMAN KRUEGER: You've lost

6 Senator Sepúlveda.

7 CHAIRWOMAN WEINSTEIN: And you left

8 out a long -- and a long-sleeved jacket.

9 (Laughter.)

10 CHAIRWOMAN WEINSTEIN: So we go to --

11 it's been a long day.

12 We go to the Assembly to Assemblyman

13 Mamdani.

14 ASSEMBLYMAN MAMDANI: Thank you so

15 much, Chair.

16 Thank you so much, Speaker Adams, for

17 being here with us today. I appreciate the

18 time and appreciate the testimony. And thank

19 you to everyone else as well -- Finance Chair

20 Brannan.

21 I wanted to share that I was really

22 heartened by your cosponsorship of

23 legislation that would force an end to

24 solitary confinement as well as your comments

1 last month that, quote, we're better than
2 that.

3 Are you still opposed to solitary
4 confinement or punitive segregation, as the
5 mayor calls it? And will you bring a bill
6 ending its practice coming to the floor for a
7 vote?

8 NYC COUNCIL SPEAKER ADAMS: Oh, I love
9 the question. Thank you very much,
10 Assemblymember, and it's great to see you as
11 well.

12 The answer is that we are still
13 working through the conditions of that
14 legislation in the City Council.

15 I would prefer to call what is now
16 called punitive segregation rehabilitative
17 segregation if we're going to call it
18 anything, using my psychology background. I
19 continue to say that New York is better than
20 that. And there is a reason for behavior,
21 and there are ways to change behavior if we
22 so choose to do so, if we desire to do so.

23 So my hope is that we will take a
24 harder look at the way to prevent certain

1 behavior that is unacceptable, rather than
2 continue to punish behavior and think that
3 we're going to change the behavior with
4 punishment.

5 ASSEMBLYMAN MAMDANI: And in your
6 hopes for that, do you see that -- does that
7 mean edits to the existing bill?

8 NYC COUNCIL SPEAKER ADAMS: It may.
9 It means putting our heads together again,
10 taking another look at it to see where we
11 come to consensus with the legislation.

12 ASSEMBLYMAN MAMDANI: Okay, I
13 appreciate that. From one side of Queens to
14 the other, I can tell you for sure that my

15 constituents truly do believe in ending the
16 practice, and appreciate your comments on it.

17 The second and last question that I
18 have is that MTA Chairperson Janno Lieber
19 recently called for the city to fully fund
20 Fair Fares after the previous mayor and
21 City Council speaker had left it at only
22 50 percent funded. Is it in your plans to
23 fully fund the program in the upcoming
24 budget?

1 NYC COUNCIL SPEAKER ADAMS: That is my
2 hope. Of course we haven't started budget
3 deliberations yet, but Fair Fares was on the
4 table. We thought that it was something that
5 needed to be done for New Yorkers, and it is
6 certainly something that we are willing to
7 take a look at. Again, it's about equity for
8 us in the council, and truly Fair Fares is a
9 part of that equity.

10 ASSEMBLYMAN MAMDANI: Absolutely. And
11 I would very much, you know, urge that be one
12 of the number-one priorities as we get into
13 this budget season. Really do appreciate the
14 work, the time and the testimony.

15 Thank you very much.

16 NYC COUNCIL SPEAKER ADAMS: Thank you.

17 CHAIRWOMAN KRUEGER: Thank you.

18 And our next up is Senator Robert

19 Jackson.

20 SENATOR JACKSON: So I was going to

21 say good afternoon, but it's like evening.

22 So good evening, Speaker, how are you? And

23 to your leadership team, let me congratulate

24 all of you and hope you have a successful

1 term.

2 I just wanted to touch base with you

3 on one of the primary issues of the Campaign

4 for Fiscal Equity, and that is small class

5 size. And I asked the mayor earlier does he

6 have a plan to ensure that New York City

7 students receive small classes, and is he

8 planning to work with the state to use the

9 funds under the Contract for Excellence

10 towards this goal of reducing class size.

11 And I ask whether or not is that a

12 major issue for you also, and I would assume

13 that it is. But I ask for your answer.

14 NYC COUNCIL SPEAKER ADAMS: Senator,

15 always great to see you, needless to say.

16 Small class sizes has been an

17 albatross around the necks of New York City

18 schoolchildren for a very long time. It's

19 something that should be on the front burner,

20 and we hope to have discussions with the

21 administration around it. It is a very

22 important issue for us. And yes, we hope

23 that it will be prioritized with both sides

24 of City Hall.

1 SENATOR JACKSON: And also earlier in
2 testimonies and under Q&A as far as
3 dyslexia -- and supposedly a school is going
4 to be built in order to address that major
5 issue that impacts so many students in our
6 public school system. And I would just hope
7 that the City Council gets right with him and
8 moves forward on that as quickly as possible,
9 because thousands of children are being left
10 behind because in fact they can't read at the
11 level they're supposed to.

12 But also, I just wanted -- the last
13 item -- I have only a minute and a second --
14 is qualified immunity. The City Council

15 passed a qualified immunity bill for cases
16 that dealt with the Fourth Amendment
17 violations of unreasonable search and
18 seizure. I have a bill to end qualified
19 immunity where the civil rights of people are
20 being violated. And as a result of this,
21 then they have a right as a result of
22 violations of law to sue the individual
23 officers -- whether it's police, fire,
24 whoever violates their rights -- an

1 opportunity to sue.

2 And my question is do you support an

3 individual's right, where their rights are

4 being violated, to be able to sue in cases of

5 qualified immunity?

6 NYC COUNCIL SPEAKER ADAMS: Well,

7 another question that I take very seriously

8 and appreciate, Senator. The issue of

9 qualified immunity was passed through my

10 committee when I was chairing public safety.

11 New York City is the only jurisdiction in the

12 country to have passed qualified immunity.

13 We were hoping that it would be a model for

14 the rest of the country to take a look at.

15 We happen to feel that no one's rights should

16 be violated.

17 So the answer to that question would

18 be we've already done it in the city, and we

19 would hope that it would be taken further.

20 SENATOR JACKSON: Thank you. My time

21 is up. Thank you for coming and giving

22 testimony at this joint budget hearing.

23 NYC COUNCIL SPEAKER ADAMS: Thank you

24 very much.

1 CHAIRWOMAN KRUEGER: Thank you,

2 Robert.

3 CHAIRWOMAN WEINSTEIN: We go to

4 Assemblywoman Jackson, three minutes.

5 ASSEMBLYWOMAN JACKSON: Thank you,

6 Chair.

7 And Justin, I'll make sure to get

8 Sepúlveda for his comment, don't worry.

9 (Laughter.)

10 COUNCILMAN BRANNAN: Thank you,

11 Chantel.

12 ASSEMBLYWOMAN JACKSON: Madam Speaker,

13 congratulations. This is our first time in

14 your position being able to meet again. So

15 congratulations.

16 NYC COUNCIL SPEAKER ADAMS: Thank you

17 so much. Great to see you.

18 ASSEMBLYWOMAN JACKSON: Thank you for

19 all your work.

20 So my questions are around NYCHA. And

21 I'm just wondering, what do you think

22 City Council is willing to do around NYCHA?

23 Like what kind of funding do you think is

24 necessary to restore NYCHA?

1 And I'm just going to ask all my
2 questions because I don't have a lot of time.

3 What are your thoughts around public
4 banking and how it can be useful in our city,
5 especially in the Bronx?

6 Vacant storefronts. It's a hazard, it
7 causes communities to be -- it causes such a
8 hazard in our community. It creates a
9 dumping ground, hangout spots. It creates
10 litter. So what are we doing about our
11 vacant storefronts? And I know Lower
12 Manhattan is experiencing this, you know, in
13 records that they haven't before. But the
14 Bronx has been dealing with vacant

15 storefronts for the longest.

16 So what are we doing to help with

17 entrepreneurship in our communities, get

18 people to own their own businesses and own

19 their own storefronts so that we can get rid

20 of these vacant places?

21 And then of course we're dealing with

22 gun violence across our city, across our

23 state, across our nation. And it's due to

24 lack of social services, lack of conflict

1 resolution and mental health services, low or
2 no employment. So what do you think the city
3 and state -- what do we think we can do in
4 conjunction to address these issues? Yes,
5 we're putting money into our Cure Violence,
6 but there has to be more that we do because
7 we're losing Black and brown bodies every
8 single day.

9 So those are my questions. NYCHA,
10 public banking, the vacant storefronts, and
11 gun violence. Thank you.

12 NYC COUNCIL SPEAKER ADAMS: Thank you
13 very much, Assemblymember, for your
14 questions. I really appreciate them.

15 NYCHA -- NYCHA is a tremendous,
16 tremendous issue. It has been a stain on the
17 performance of New York for decades, as we
18 all know. The condition of NYCHA didn't get
19 there overnight, and it certainly won't be
20 changed overnight. This pandemic has
21 exacerbated issues within NYCHA to levels
22 that are absolutely unbelievable. NYCHA's
23 most recent physical needs assessment
24 identifies a need of \$31.8 billion over their

1 five-year plan, and an additional need of

2 \$13.4 billion in Years 6 through 20.

3 So the city's allocated \$2.9 billion

4 of our capital budget to try to address these

5 needs, but again, years of deferred

6 maintenance has taken a toll on NYCHA and the

7 buildings and residents. The residents, they

8 need all the help that they can get, and it's

9 going to be incumbent upon us as a city and

10 state to get that relief to the residents of

11 NYCHA. It's going to take a lot. And I look

12 forward to continuing conversations around

13 it, to work on it and to resolve the issues.

14 It's not going to be easy to do it.

15 As far as public banks, I support the
16 issue of public banks, particularly in our
17 communities of color where we have been the
18 ones most troubled with our banking
19 institutions and having issues with banking
20 institutions -- unable to get loans, unable
21 to sustain ourselves financially.

22 Check-cashing places are on pretty much every
23 corner in communities of color.

24 So the more we can do to help

1 alleviate our situations when it comes to
2 finances, I think the better that we will all
3 be off as a city.

4 Vacant storefronts. This is an issue
5 that my colleague, former Manhattan Borough
6 President Gail Brewer, now Councilmember Gail
7 Brewer, has been speaking about for a very,
8 very long time.

9 We have to take a very hard look at
10 the situation of vacant storefronts. It is
11 something that is also, you mentioned, in
12 your community, and our communities in Queens
13 also. What are we doing to help small
14 businesses recoup, what are we doing with the

15 buildings that are vacant, how can we best
16 use those areas that will no longer come back
17 as the former businesses? There's a lot of
18 work to do.

19 It sounds cliched, but quite frankly
20 we've got to roll up our sleeves and do the
21 work. We're all new coming into this work --
22 well, a lot of us are. You're not. But some
23 of us are, in capacities of the work that
24 we're doing. So we've got to put our heads

1 together as a new team to work it out.

2 And finally, gun violence. I didn't

3 want to --

4 CHAIRWOMAN WEINSTEIN: Speaker, the

5 time has expired a while ago. And a number

6 of these issues are off-budget issues that

7 I'm sure we're going to be having continuing

8 conversations on. So I'm going to move on to

9 the Senate.

10 CHAIRWOMAN KRUEGER: Thank you very

11 much, Assemblywoman.

12 Senator Diane Savino.

13 SENATOR SAVINO: Thank you, Senator

14 Krueger.

15 Good evening, Speaker Adams. It's
16 good to see you. Also good to see my good
17 friend the chair of the Finance Committee,
18 Justin Brannan there.
19 A lot has been covered today, but I
20 want to focus on something that you brought
21 up. And while everyone today that has
22 testified has talked about how we have a good
23 budget this time where we're not looking at
24 giant budget cuts, you were the only one who

1 mentioned that there have been almost
2 systemic budget cuts that have been in place
3 for the past several years that are
4 continuing, particularly in the areas of
5 social service.

6 So whether it's the state continuing
7 this practice of only providing 62 percent to
8 the localities now -- 36 percent, 34 percent
9 for social services, shifting further costs
10 to the Foster Care Block Grant, no longer
11 paying for Close to Home, which is a program
12 that works and works so well.

13 There is one thing, though, that I
14 would like you and your team to look into and

15 to press the Governor to change. When we
16 enacted the Raise the Age program in 2017,
17 one of the things the previous governor
18 insisted upon was a funding formula that was
19 predicated upon local governments doing two
20 things, New York City being one of the local
21 governments. One, you had to submit a plan
22 for how you were going to run your program
23 and utilize the funding every April 1st, and
24 you had to remain under the 2 percent

1 property tax cap. And what that essentially
2 means is New York City receives no money for
3 Raise the Age.
4 Governor Hochul's budget continues
5 that practice. And whether she did it
6 intentionally or not or just didn't realize
7 it -- I like to think she didn't realize
8 it -- I think we need to raise our voices
9 against this unfair funding formula. The
10 Albany Times-Union just Monday did a report
11 on Raise the Age, announcing that there was
12 \$800 million available since the program was
13 originally adopted. Since then, only
14 200 million has been distributed statewide.

15 These are important dollars that go to
16 a program that we all believe in, and we all
17 know that New York City has the largest
18 number of young people adjudicated through
19 the Raise the Age program. And as a former
20 chair of the Public Safety Committee on the
21 New York City Council, I know you know that
22 intimately.

23 So if you would -- you and your
24 colleagues raise your voice that we need to

1 change this funding formula for Raise the
2 Age, and let's get some of those dollars back
3 into New York City. And it's time to stop
4 the budget cuts that have been put in place
5 particularly with respect to social services,
6 child protective services, and the Foster
7 Care Block Grant.

8 NYC COUNCIL SPEAKER ADAMS: Thank you
9 very much, Senator. I appreciate your
10 remarks very much. They really hit home with
11 me. And I agree with you.

12 And as I did mention, we are still
13 suffering through those budget losses and we
14 need to recoup that. So I appreciate your

15 remarks very much. Thank you.

16 SENATOR SAVINO: Thank you.

17 CHAIRWOMAN KRUEGER: Thank you.

18 Assembly?

19 CHAIRWOMAN WEINSTEIN: We have no more

20 Assemblymembers. I think, Senator Krueger,

21 you wanted to speak?

22 CHAIRWOMAN KRUEGER: Yes, then I might

23 be the last speaker.

24 I also want to welcome you, and Justin

1 as the new Finance chair. We can all compare
2 notes at a later time. For people who aren't
3 from New York City, you might not understand
4 that those of us who live in New York City
5 and are in a government position, we really
6 depend on our interrelationships with our
7 City Council members. I overlap about four
8 fantastic Councilmembers, and I couldn't do
9 my work without them. And I'd like to
10 believe that they might not be able to do
11 their work without me. And so there's a real
12 close-knitness between City Council, Assembly
13 and Senators, particularly if you come from
14 the heavily densely populated New York City

15 where your neighborhoods are always going
16 through something -- or 10 somethings. So I
17 know we will be working together more in the
18 future.

19 I also appreciate that Diane Savino
20 brought up your highlighting the need for
21 more money for social services and children,
22 because it was exactly what I was going to
23 say. That I've been here long enough that I
24 remember when New York City had about

1 300 million in AIM every year. And then we
2 took it away, but we said we'll give it back,
3 and we lied to you. And then we said, well,
4 maybe we'll give it back to you someday, and
5 we lied to you. And then we've intercepted
6 money over the years, as opposed to giving it
7 back, and we have cut the formulas in social
8 service programs and the formulas of how much
9 you have to pay for all these programs.

10 So I agree completely that we all need
11 to loudly say to our new Governor, you know:
12 This budget is so much better than the last
13 10 or 11, but we really need to address these
14 issues for poverty statewide, but

15 particularly in what we've done to New York

16 City.

17 And I just really have one question.

18 There was a recent report about the crisis in

19 the Family Court system in New York and how

20 things have gotten so out of hand that people

21 can't even get a chance to deal with custody

22 issues, child support issues, foster care

23 issues, endless issues -- unless we increase

24 the number of judges.

1 And I'm just curious whether that's
2 something that the City Council would agree
3 on, that we need to be addressing the
4 backlogs in the city's Family Court system.

5 NYC COUNCIL SPEAKER ADAMS: Thank you
6 very much, Senator. It's great to see you as
7 well.

8 I would definitely agree with that.
9 You know, the issues with the courts are
10 really multifaceted. The situation with the
11 judges certainly is something that we need to
12 take a good hard look at. What I've seen
13 over the past few years particularly, seeing
14 this through the pandemic, through the lens

15 of the harm of this pandemic, there's been a
16 tremendous backlog in our court systems, a
17 lot having to do with not being able to be
18 before a judge at all, being in remote
19 situations and being in very -- when folks
20 are brought in, being brought into cramped
21 quarters, not being able to have the proper
22 legal team that they need or legal assistance
23 that they need as well.

24 But yes, I would definitely say that

1 we need to take a look at the situation with
2 the judges. We need to do whatever we have
3 to do to fortify our court system. There is
4 a tremendous backlog, and if we need to
5 fortify our system by getting more judges in,
6 then that's what we need to do.

7 CHAIRWOMAN KRUEGER: Great. And I
8 think that Assemblymember Braunstein already
9 brought this up, and it came up quite a bit
10 today. I don't agree with the Governor's
11 proposals on 421-a, but I do agree that the
12 city and the state need to work together
13 carefully to craft models that are going to
14 make sense for you in the city to maximize

15 affordable housing options and also finally
16 get your arms around the incredibly
17 complicated property tax chaos. Because I
18 don't think you have a property tax system, I
19 think you have a property tax chaos system.

20 So I'm hoping that the Legislature
21 will pull certain things out of the budget
22 with a commitment to work with you and
23 Mayor Adams and the Governor's office to get
24 things done correctly. So I hope that we

1 will be working on those issues together as

2 well, but not on such a short time frame.

3 NYC COUNCIL SPEAKER ADAMS: I agree.

4 I agree totally, Senator. That's my hope as

5 well.

6 CHAIRWOMAN KRUEGER: Great. And I'm

7 not going to use up the rest of my time, so

8 I'm going to thank you very much for being

9 with us. And again, you'll probably go to

10 night meetings as soon as you leave this Zoom

11 anyway, so again --

12 (Laughter.)

13 NYC COUNCIL SPEAKER ADAMS: You must

14 be looking at my schedule right now.

15 CHAIRWOMAN KRUEGER: I know our lives.

16 We'll be here. Some of us will be here, some

17 of us will be running around. But we all

18 keep working day and night. That is the

19 truth about elected officials.

20 So thank you very much for your

21 participation, all three of you.

22 NYC COUNCIL SPEAKER ADAMS: Thank you

23 so much.

24 CHAIRWOMAN WEINSTEIN: I did want to

1 ditto that. Thank you for being here with
2 us, and look forward to a continued working
3 relationship with you, Speaker Adams, as well
4 as all the members of the City Council.

5 With that, we're going to move on with
6 our speakers. The next presenter is from the
7 New York State Association of Counties,
8 NYSAC, Stephen Acquario, executive director.

9 NYSAC EXEC. DIR. ACQUARIO: Thank you,
10 members of the State Legislature. It's a
11 pleasure to be with you. I wish I was in
12 front of you personally and not through the
13 video.

14 I'm joined today with my colleagues

15 Mark LaVigne, David Lucas, and Ryan Gregoire

16 from our organization.

17 The Association of Counties has been

18 around for 97 years, initially founded in

19 1925, charged with protecting local

20 taxpayers, preserving local services, and

21 safeguarding the quality of life for

22 New Yorkers.

23 The past two pandemic years have been

24 extraordinary. And on behalf of the 62

1 counties, I want thank you, the members of
2 the State Legislature, for helping our
3 collective governments run.

4 With the budget that's before you, the
5 counties of New York are encouraged by the
6 following: The renewal of local sales tax
7 locally, ending the intercept of local sales
8 tax to pay for the state's AIM program,
9 making sound investments in public health,
10 and supporting veterans and infrastructure.

11 There are, however, areas of concern.
12 The continued intercept of local sales taxes
13 to support state distressed health
14 facilities. Forcing counties to shoulder

15 private rate increases in preschool special
16 education -- these may be needed but should
17 not be funded by local taxpayers. At the end
18 of the day, our top priority is keeping local
19 taxes local.

20 Tonight I'd like to draw your
21 attention to our number-one priority, the
22 Distressed Health Facilities Fund.
23 Specifically, we ask that you eliminate the
24 county's sales tax diversion, Part ZZ of

1 Chapter 56 of the Laws of 2020.

2 I'd like to remind you that you

3 directed the State Comptroller to divert

4 50 million in sales tax from the counties and

5 200 million from the city to create a

6 temporary fund to help health facilities to

7 weather this pandemic if they needed

8 additional assistance. It was never meant to

9 be a permanent program. Why are we making it

10 permanent? Nobody has asked for this to

11 become permanent. And everyone has said this

12 is an awful idea, including the mayor of the

13 City of New York earlier today.

14 So, so far the state has taken

15 \$500 million in local sales taxes and

16 provided nothing to local healthcare

17 facilities. In fact, the state transferred

18 250 million to the General Fund on the last

19 day of the '21 state fiscal year. Again,

20 this program is totally unnecessary. The

21 state and the federal government have several

22 distressed hospital pools to address this

23 very issue. Supporting distressed health

24 facilities has always been properly a federal

1 and state responsibility.

2 Tonight I hereby call on you, as a

3 check and balance, to end this practice

4 immediately. The law should sunset as

5 originally enacted. At the very least, it

6 should end when the federal COVID-19 public

7 health emergency ends.

8 Turning to some other important

9 priorities in the Executive Budget for

10 counties, let me first start by discussing

11 local sales tax issues. We support the

12 proposal to end the practice of diverting

13 county sales taxes to pay for town and

14 village AIM funding. While we're on the

15 subject, cities, towns and villages -- as you
16 heard from my peer Peter Baynes, towns,
17 cities and villages haven't seen an increase
18 in this state support for over a decade, and
19 we support that initiative.

20 Finally, we respectfully ask the
21 Legislature to support the proposal to grant
22 permanent local sales tax authority for all
23 counties and cities consistent with the City
24 of New York at their existing sales tax

1 rates, up to 4 percent.

2 Now, we're getting into some program

3 and policy implementation now in the few

4 remaining minutes that I have. I'd like to

5 talk about children and family services.

6 something that's not in the Governor's

7 budget, a childcare two-county pilot project

8 that we would like to ask for your

9 consideration. Similar to what Mayor Adams

10 asked for this morning in regards to

11 childcare, we support a two-county pilot

12 project for Tompkins County and Erie County,

13 to address a childcare crisis in Erie County

14 and a childcare desert in Tompkins County.

15 Specifically, we request 20 million to
16 supplement Erie County's childcare block
17 grant allocation and raise market rates.
18 This will allow Erie to better align the
19 actual cost of childcare with the OCFS market
20 rate, increase wages for childcare workers,
21 and get parents back to work without
22 decreasing the number of children served.

23 We also request 20 million for
24 projects in the pipeline to support in-home

1 care and create new childcare opportunities
2 for families in Tompkins County.

3 In prior years the State Budget cut
4 state financial support for child welfare
5 services and safety net programs. Senator
6 Savino was just talking about this. We
7 strongly encourage the Legislature to restore
8 these funding cuts to 65 percent open-ended
9 state match for child welfare services -- up
10 from 62 percent -- and 50 percent for safety
11 net programs, up from 29 percent.

12 The budget also includes a resolution
13 to a long-simmering state legal battle
14 related to foster care rates settled by the

15 state in December of 2021. The settlement
16 terms require an immediate increase in foster
17 care rates of 20 percent to 40 percent
18 upstate and 45 percent in the City of
19 New York area. We have concerns about how
20 this is being funded, as the budget includes
21 no additional state resources to support the
22 settlement over what has been provided in
23 prior years.

24 The counties are grateful to Governor

1 Hochul for additional community college base
2 funding; we support the proposal in the
3 Governor's budget.

4 The budget includes a provider rate
5 increase that, while necessary, will cost
6 county taxpayers an extra \$50 million a year
7 for costs for preschool special education
8 providers. The counties are asking the state
9 to cap preschool costs at the average cost
10 per county over the last three years and put
11 that in statute this year.

12 With respect to economic development,
13 the counties support the ConnectALL
14 initiative by Governor Hochul and also the

15 proposal to waive the Department of
16 Transportation's right-of-way fees for future
17 ConnectALL broadband construction projects.
18 We believe these things should be waived for
19 all publicly funded broadband projects as
20 well.

21 With respect to gaming, last year the
22 state changed the state tax rate on slot
23 machines to help commercial casinos stay in
24 business. However, this had a negative

1 impact to revenue-sharing with local
2 governments. The counties support the
3 Governor's proposal to offset gaming payment
4 reductions by increasing this funding from
5 7 million to 10 million.

6 The counties also appreciate Governor
7 Hochul's leadership and efforts to reach an
8 agreement with the Seneca Indian Nation. We
9 appreciate the appropriation in the budget
10 that's before you to ensure proper payment is
11 distributed.

12 With respect to cybersecurity, an
13 issue talked about by Senator Savino and
14 other members of the Legislature, the budget

15 includes an additional 44 million for state
16 and local cyber defense and response efforts.
17 The counties appreciate the state's
18 recognition that this problem requires an
19 immediate all-hands-on-deck approach. All
20 local governments have various needs, and we
21 shouldn't just throw money at the problem.
22 We need a well-coordinated program that
23 raises the baseline level of awareness -- and
24 more importantly, preparedness -- at all

1 levels of local governments across the state.

2 The three municipal associations, the
3 towns, the mayors and the counties, have been
4 discussing this funding stream. We believe
5 we're in the best position to provide the
6 greatest number of local governments
7 effectively to respond to this.

8 I want to add and thank Governor
9 Hochul that DHSES, the State Board of
10 Elections, the ITS -- the Office of
11 Information Technology Services -- they've
12 been tremendous allies in providing critical
13 reinforcements, as Mayor Sheehan in Albany
14 talked about, in this fight against cyber

15 hackers.

16 With respect to public health, the
17 counties applaud the Governor's commitment to
18 raising the funding for public health. We
19 request that the State Budget restore
20 New York City to 36 percent reimbursement
21 beyond the base grant under Article 6 state
22 aid, consistent with the rest of the state.

23 With respect to lead poisoning
24 prevention, the state lowered the allowable

1 blood levels in children last year. That is
2 a good policy. However, to properly achieve
3 this, to properly screen these children, we
4 need an additional 46 million over the 9.7
5 that's currently appropriated.

6 We support the 35 million for a
7 988 crisis hotline in the State of New York,
8 and we ask that you enact that policy.

9 I want to call to your attention that
10 we support some additional legislation on
11 ensuring that 911 emergency -- grants for 911
12 systems are appropriated and released to
13 counties in the year that they are authorized
14 and appropriated and not three or four or

15 five years afterwards.

16 With respect to -- one final issue I

17 want to make with respect to veterans. I

18 want to just thank the Governor and thank you

19 for your consideration to talk about

20 additional appropriations for veterans

21 services. I hope that the Legislature will

22 look at this policy very seriously and work

23 with Governor Hochul about building out

24 additional veterans service funding. We

1 haven't had additional veterans services
2 funding increases in decades in the State of
3 New York for our county-based veterans
4 services organizations.

5 We support the \$7.7 million statewide
6 expansion to the Joseph P. Dwyer Peer to Peer
7 veterans services program and very much
8 support the transportation and infrastructure
9 appropriations such as the CHIPS funding,
10 PAVE-NY, BRIDGE NY, and the new pothole
11 program. And the CHIPS bidding threshold
12 that the Governor so smartly included in her
13 budget, raising that from the present
14 \$350,000 to \$750,000, which would allow local

15 governments to use local government employees

16 to do road and bridge projects without going

17 out to bid, which could cost the taxpayers

18 more money.

19 CHAIRWOMAN KRUEGER: Thank you.

20 NYSAC EXEC. DIR. ACQUARIO: Thank you

21 for this opportunity.

22 CHAIRWOMAN KRUEGER: Thank you,

23 Stephen. I did let you get the rest of your

24 numbers in.

1 First off, Chair Weinstein had to be
2 somewhere else, so I will take both sides,
3 Assembly and Senate, for the rest of this
4 hearing. I think I can be fair.

5 And I will start with Chair Thiele.

6 For 10 minutes, yes.

7 ASSEMBLYMAN THIELE: Thank you,
8 Senator Krueger. And thank you for starting
9 with the Assembly. That demonstrates your
10 fairness, thank you.

11 Steve, it's good to see you, and thank
12 you for the testimony. You talked about the
13 distressed healthcare, the intercept. And we
14 spent a lot of time last year talking about

15 obviously the AIM program and that intercept.

16 And, you know, to me the concept is

17 the same with both of these. And in one

18 case, with AIM, we're very happy about that.

19 The sales tax intercept for something that

20 should be a state charge is eliminated, and

21 for the distressed healthcare facilities it's

22 not. It just seems to me that, you know,

23 that's a concept we should be eradicating

24 from the State Budget where we call upon

1 counties or any other local government to pay
2 for this expense.

3 I wanted to talk a little bit about
4 this, though. You said, you know, either
5 eliminate it completely or when the emergency
6 is over. We don't know when the emergency is
7 going to be over. And it would seem to me
8 that if we tied it to that, that could create
9 a hardship for counties because you could be
10 in the middle of a budget year and, you know,
11 not have the time or the effort to -- to
12 budget for it or to deal with it.

13 Wouldn't it be better if we picked a
14 date certain if we were going to end it this

15 year?

16 NYSAC EXEC. DIR. ACQUARIO: Thank you,

17 Mr. Chairman. And thank you for all you do

18 for local governments in the State of

19 New York and on Long Island, in Suffolk

20 County.

21 Yes, without question, a date specific

22 is the way to go. It was done in the

23 midst -- in the early, early days of the

24 pandemic when it was announced, when it was

1 put in place. Okay. We got it that it was
2 done. It was sunset, it's supposed to sunset
3 next month, the month after -- April, I
4 believe it was supposed to sunset.

5 It is a very dangerous precedent, an
6 extremely dangerous precedent to use local
7 sales taxes for state government obligations
8 and purposes. It's a dangerous precedent.
9 We respectfully ask that it be sunsetted date
10 specific, yes.

11 ASSEMBLYMAN THIELE: Thank you.

12 My second question, you had mentioned,
13 referenced the Governor's proposal with
14 regard to community college aid, in a

15 supportive way. Could you just comment on if

16 there -- what the trends are as far as

17 community college enrollment across the

18 state?

19 NYSAC EXEC. DIR. ACQUARIO: I will --

20 yes, I will. I'll ask David Lucas to give a

21 30-second or a minute answer to that.

22 I just want to say that our enrollment

23 is trending downwards. We need to address

24 that. Pandemic, things went down; it has

1 been trending down without a floor.

2 Without what you did last year in last

3 year's budget, and without this 98 percent of

4 last year's funding that's proposed in this

5 year's budget, we would see a severe

6 reduction in our community college funding

7 base aid from the State of New York. We have

8 fixed costs in our buildings, fixed costs

9 with our professors and salaries, and other

10 fixed costs with our community colleges, our

11 34 institutions across the state. Having

12 this state aid at this level with a locked-in

13 rate is incredibly important.

14 Dave, do you want to add something

15 else? No?

16 NYSAC FINANCE DIR. LUCAS: No, I think

17 you covered it.

18 NYSAC EXEC. DIR. ACQUARIO: Thank you.

19 ASSEMBLYMAN THIELE: So just on that

20 point, perhaps we need to be examining --

21 maybe not for the local governments table as

22 much as maybe higher education -- but this

23 trend of lowering enrollment on community

24 colleges maybe is something that we need to

1 also take a look at.

2 My last point is there's been a lot of
3 talk about criminal justice issues today with
4 the upstate cities and New York and with
5 NYCOM. And, you know, I saw that you had in
6 your testimony some comments which I thought
7 were very important with regard to Raise the
8 Age. I wanted to give you an opportunity to
9 just talk about that a little bit.

10 NYSAC EXEC. DIR. ACQUARIO: Well,
11 we're very grateful that the Governor has
12 continued to fully fund Raise the Age --
13 Raise the Age funding.

14 We support the policy when you enacted

15 it. The funding of 250 million I believe is

16 in this budget. It is flowing. But I want

17 to turn to Ryan Gregoire here, our

18 legislative director, to be more responsive

19 to your question on Raise the Age.

20 Ryan.

21 NYSAC LEG. DIR. GREGOIRE: Yeah,

22 Chairman Thiele, it's good to see you again.

23 And I think, you know, Senator Savino

24 hit this nail right on the head, and that is

1 that, you know, we need to be delinking the
2 property tax cap from an eligibility
3 requirement for the full state reimbursement
4 of Raise the Age.

5 And I just want to expand on something
6 that has been addressed, and that is that
7 counties and the City of New York are
8 responsible for implementing the Raise the
9 Age statute, which includes new programs.

10 But we need the State of New York -- and they
11 have \$250 million set aside in the budget,
12 but we need that money to flow to the
13 counties, to flow to the City of New York
14 when those plans are submitted and when those

15 programs are stood up.

16 There's been a delay in funding

17 getting out the door, and we will look to

18 your assistance to help that that gets done

19 faster.

20 ASSEMBLYMAN THIELE: Right. Thank you

21 very much, gentlemen. It was a pleasure, and

22 I appreciate your testimony. Thank you very

23 much.

24 NYSAC EXEC. DIR. ACQUARIO: Thank you,

1 Mr. Chairman.

2 CHAIRWOMAN KRUEGER: Thank you very

3 much.

4 And our next testifier will be Senator

5 Rath.

6 SENATOR RATH: Well, thank you,

7 Madam Chair.

8 Steve, it's good to see you. And I

9 give you a lot of credit for packing a lot of

10 information into your 10-minute comments

11 there.

12 A few things I want to follow up on.

13 First and foremost, you had brought up and

14 touched on briefly broadband, broadband

15 connectivity and the challenges that
16 broadband connectivity is bringing to our
17 counties. This is not just a rural broadband
18 issue, this is not just a suburban broadband
19 issue, it cuts across every single county,
20 and it's been underprioritized for a long,
21 long time. This affects our children, public
22 safety and our businesses, particularly our
23 agribusinesses.

24 If you could expand a little bit on

1 the broadband challenges and what NYSAC is
2 doing to work on that for an advocacy piece
3 and what you're looking for out of this
4 budget.

5 NYSAC EXEC. DIR. ACQUARIO: Well,
6 thank you, Senator. We are working with the
7 Public Service Commission. We're trying to
8 get a better understanding of the mapping.
9 So the direct answer to your question is
10 information. We need the mapping that the
11 state has been doing. We had a broadband
12 program office under the former
13 administration that stood up a billion-dollar
14 broadband initiative. There's been sort of a

15 disconnect since that ended and a new program
16 that's been announced by Governor Hochul for
17 this.

18 We are hopeful that this new program
19 can use the mapping information that we have,
20 combined with the county planning geographic
21 information system that we have in the county
22 planning agencies, that we can better
23 coordinate the two together.

24 We saw deficiencies during the

1 pandemic in schools. We saw that certain
2 children were given Chromebooks but no
3 ability to access it, only to go to a parking
4 lot in a municipal shopping center to try to
5 get their children to get the education that
6 they so deserve.

7 We have a problem. We have an
8 opportunity with federal ARPA funds to use
9 them for broadband outreach. So we need to
10 work with the state, together with the local
11 governments, the federal money, and do the
12 best job we can.

13 SENATOR RATH: Thank you. It can't
14 happen soon enough. And I know exactly what

15 you're talking about with kids being in their

16 school parking lots with school buses as

17 hotspots. That's shameful.

18 My next question goes into the

19 County Wide Shared Services Initiative. And

20 the current budget includes 200 million of a

21 reappropriation for CWSSI to allow plans that

22 were approved prior and not implemented to be

23 eligible for matching funds. Based on the

24 NYSAC members' experience, is there an idea

1 of approximately how many plans this would

2 affect?

3 NYSAC EXEC. DIR. ACQUARIO: We don't

4 have an idea. I will say that we asked

5 Governor Cuomo -- Governor Cuomo? We asked

6 Governor Hochul to include this language in a

7 program that Governor Cuomo had championed.

8 He was a big champion of this program.

9 We have not seen a lot of savings come

10 about from this over the years, but we did

11 ask Governor Hochul to include this language

12 because we thought -- it came from Western

13 New York, Senator. The request came from

14 Western New York. We had a county in Western

15 New York that had a project that was put
16 together that was not implemented in the year
17 that it was proposed to be eligible for this
18 state match in the following year.

19 So we asked Governor Hochul and the
20 Department of State to consider this, they
21 agreed it was good public policy, and we
22 think it will bring about a savings, a
23 matching savings, and others can benefit from
24 some of these programs that were put together

1 the prior year.

2 SENATOR RATH: Well, I totally support
3 this concept, because it works and I've seen
4 it firsthand when I was at the county level
5 with intermunicipal cooperation and shared
6 services, which makes a tremendous amount of
7 sense with regards to allocation of resources
8 and optimization, if you will, of services.

9 My last question is tied to unfunded
10 mandates. And certainly this has been the
11 beck and call from anyone at a county level
12 for years and years and years. And Erie
13 County, as we know, has been suffocated by
14 unfunded mandates for decades. And, you

15 know, 80 percent at one point of our budget

16 was to pay for unfunded mandates.

17 So in the 37 seconds that I have left,

18 if you could touch on what type of unfunded

19 mandate relief you think is a highest

20 priority for NYSAC and something we could pay

21 attention to in this budget.

22 NYSAC EXEC. DIR. ACQUARIO: Well, we

23 pay 7 billion in Medicaid, New York City and

24 the counties. We pay a billion dollars in

1 the safety net. We pay \$300 million in Early
2 Intervention for newborns to 3-year-olds. We
3 pay a billion dollars for 3-to-5-year-olds'
4 preschool special education. We pay
5 approaching a billion dollars in child
6 welfare.

7 Where does it end? With the mandates
8 that we have, what can we do to begin to
9 address these? I've talked to you over the
10 years about this, I've talked to Senator
11 O'Mara over many, many years about addressing
12 unfunded mandates.

13 The one thing that I can ask your
14 collective consideration is to please defeat

15 the Distressed Hospital Fund. That needs to
16 expire. That is the one ask, and that's the
17 one thing that you're going to get requests
18 from us on unfunded mandates. We have to
19 have that expire.

20 SENATOR RATH: Thank you, Steve. I
21 appreciate all your advocacy.

22 NYSAC EXEC. DIR. ACQUARIO: Thank you,
23 Senator.

24 CHAIRWOMAN KRUEGER: Thank you.

1 We're going to go back to the

2 Assembly. Anna -- I'm sorry, Kelles, excuse

3 me. Assemblymember Kelles.

4 ASSEMBLYWOMAN KELLES: No worries.

5 It's been a long day for all of us.

6 CHAIRWOMAN KRUEGER: Apparently.

7 (Laughter.)

8 ASSEMBLYWOMAN KELLES: So thank you so

9 much, Steve and Ryan. Wonderful to see you,

10 of course; this work is very near and dear to

11 my heart.

12 So I just wanted to make one comment,

13 and a great thank you for your support of the

14 funding for Erie County and Tompkins County

15 for childcare. I just want to add how

16 incredibly significant this is. When we say

17 that these two counties have a critical issue

18 with respect to childcare, we're referring to

19 the fact that with -- in Tompkins County, I

20 can speak for myself, I see Assemblymember

21 Wallace is also speaking -- that the

22 situation in Tompkins County is that for all

23 the children under 6 years old, there are --

24 only 30 percent of them have actual slots.

1 We simply do not have childcare for the rest
2 of them. So this is an incredibly critical
3 situation.

4 And what you are supporting in
5 Tompkins County is to create actual slots.
6 And the importance for Tompkins County is
7 that it is an economic driver in the Southern
8 Tier. There are 15,000 in-commuters into
9 Tompkins County, and this is creating
10 generational problems because of the loss of
11 people in the workforce. So thank you so
12 much for that support.

13 And I have two questions. One of my
14 questions is specific to the permanency in

15 sales tax authority. Why is granting this

16 permanency in sales tax authority so

17 important for counties, and why should we

18 include this? That's the first question.

19 NYSAC EXEC. DIR. ACQUARIO: So first

20 of all, I think on the childcare grant pilot

21 programs, I hope that you can get that done

22 and across the finish line. New York is the

23 Empire State. We could show the nation how

24 to address and tackle this very, very

1 critical and important policy for childcare
 2 providers, helping mothers and fathers go to
 3 work knowing that their children are cared
 4 for. Ryan, who's sitting next to me here,
 5 can't find a childcare provider --

6 ASSEMBLYWOMAN KELLES: Exactly.

7 NYSAC EXEC. DIR. ACQUARIO: He's on an
 8 18-month waitlist, still, with a newborn
 9 baby.

10 ASSEMBLYWOMAN KELLES: Exactly.

11 NYSAC EXEC. DIR. ACQUARIO: With
 12 respect to the permanency of sales tax, this
 13 is an issue -- Erie County -- I know
 14 Assemblywoman Wallace is going to speak --

15 was the first. We had Erie County sales tax

16 in 1966. Sixty years ago we did a sales tax.

17 Yet each -- every two years state lawmakers

18 have to approve or reauthorize a sales tax

19 that's been on the books for 60 years. It's

20 a waste of administrative time, both locally

21 for the Erie County Legislature with a

22 home-rule request and the State Legislature.

23 It takes precious time between two levels of

24 government, taxpayer dollars to re-pass

1 legislation that we already know is going to
2 be extended.

3 ASSEMBLYWOMAN KELLES: All right, I'm
4 going to sneak in my last question for you,
5 which is can you speak to the challenges
6 counties face with respect to the EMS and
7 why -- and what counties are seeing across
8 the state and what we should do about that in
9 the budget.

10 NYSAC EXEC. DIR. ACQUARIO: Okay, on
11 the EMS issue we have a wait line for an
12 ambulance to come to your emergency, growing.
13 It's getting longer. We have a recruitment
14 problem with volunteers to do this service.

15 And we have a problem with cost recoupment of
16 our providers. The public ambulance fire
17 districts cannot recoup reimbursement for
18 services. We have a crisis.

19 The Governor put in some pilot
20 language to do EMS reform. This is the year
21 to do it. We have to help our volunteer
22 fires better recoup EMS from insurance
23 carriers. And we can do a better job in
24 that, and we ask for your help.

1 Thank you for both questions.

2 ASSEMBLYWOMAN KELLES: Absolutely.

3 Good to see you.

4 NYSAC EXEC. DIR. ACQUARIO: Thank you.

5 CHAIRWOMAN KRUEGER: Thank you very

6 much.

7 And we have been joined by our chair

8 of Local Government, Jim Gaughran. Hi again,

9 Jim. You have 10 minutes.

10 SENATOR GAUGHRAN: Thank you,

11 Madam Chair.

12 Steve, how are you and Ryan?

13 So I saw you before, so I think you

14 probably have been listening to some of the

15 discussion today about the land use proposed

16 changes in the budget for accessory dwelling

17 units and also transit-oriented development.

18 The communities I represent, you know, the

19 counties I represent are doing a lot of this.

20 Suffolk County has a very forward-looking

21 affordable housing program that they do in

22 cooperation with the towns and villages.

23 One of the concerns I have is that --

24 and my question is, what are your thoughts on

1 this, or is this something you need to look
 2 into? Because there's some question as to
 3 whether or not it would impact regional
 4 plans, county plans. In Suffolk County we
 5 have a sanitary code that restricts
 6 development in certain areas, you know,
 7 because of the need for sewage, to protect
 8 our drinking water, waterfront revitalization
 9 plans, et cetera.

10 So what thoughts do you have on this
 11 proposal?

12 NYSAC EXEC. DIR. ACQUARIO: Thank you,
 13 Mr. Chairman. It's great to see you again as
 14 well.

15 I think that we have to look at this
16 very carefully. The association has a
17 diverse membership from the City of New York
18 to the 57 counties. This issue splits
19 regionally, and I have to defer mostly to our
20 brothers in municipal government and town
21 government, village and city who have
22 predominant zoning authority.

23 I do think that some of the language
24 that has been proposed regarding this is

1 necessary to address some of the issues in
2 the City of New York. I heard Mayor Adams
3 talk about this today. It addresses perhaps
4 what are illegal accessory dwelling units
5 within the City of New York, perhaps that
6 flooded during the floods that we saw over
7 the summer. Perhaps there is some
8 applicability in the City of New York. The
9 mayor is asking for some of this authority.

10 But if you look out into Long Island
11 with its unique aquifer that it has out
12 there, its unique septic system that it uses,
13 the contamination problems that we're dealing
14 with -- PFOA, 1,4-dioxane -- on Long Island,

15 this is a very -- it cuts a different way on

16 Long Island --

17 SENATOR GAUGHRAN: I agree.

18 NYSAC EXEC. DIR. ACQUARIO: -- than

19 the metro city, where there's not the support

20 that we're seeing for it.

21 We don't think that this should be

22 enacted this year, but we think it needs to

23 be looked at. There are local zoning

24 policies in place presently that

1 municipalities could best address this issue,
2 and I think that we need to really look at
3 this carefully. That's the best I have for
4 you at this time. Our members are discussing
5 it, looking at it --

6 (Overtalk.)

7 SENATOR GAUGHRAN: Right. But you
8 would be supportive of perhaps funding and
9 assistance, turning this into incentives both
10 for transit-oriented development and ADUs,
11 perhaps even on a regional basis?

12 NYSAC EXEC. DIR. ACQUARIO: Without
13 question the incentives is the best way to
14 go, as opposed to a top-down, one size fits

15 all approach across the state for 932 towns,

16 500-and-some-odd villages is not the right

17 way to go. Incentives is the right way to go

18 to do this.

19 SENATOR GAUGHRAN: Okay, and finally

20 maybe I will just ask you -- you addressed it

21 a little bit, but if there's you want to add

22 about the discussion we have had today about

23 looking at some of the criminal justice

24 changes we made and seeing if there are some

1 tweaks that perhaps should be considered so
2 that we protect and enhance the underlying
3 importance of this law, which is to make sure
4 we don't have two different systems of
5 justice. But we also feel there's some of
6 the practical and real issues, based on data,
7 that, you know, may have to be addressed.

8 NYSAC EXEC. DIR. ACQUARIO: Thank you,
9 Senator. I guess what I would add to that
10 discussion today and tonight is that judicial
11 discretion is the biggest issue that comes to
12 our attention. Granting judicial discretion
13 in particular on risk of flight and public
14 safety risk is what we're hearing here.

15 Also how the mayor of the city
16 addressed the issue of a public display of a
17 gun; it should not be a factor as it is under
18 current legislation. The carrying of a gun
19 should be treated the same way, whether the
20 individual displays it or not, removing it
21 out of the Family Court.

22 Those are the types of issues that we
23 hear. The discovery demands, the voluminous
24 requirements of the new discovery bill have

1 jammed up too many cases. The information
2 we're hearing from our members is urging the
3 state to distinguish what is truly necessary
4 for discovery, especially in cases where a
5 complainant directly brought law enforcement
6 to the scene.

7 So I think if the Legislature is going
8 to take this up, if Governor Hochul is going
9 to take this up, we can add significantly to
10 the debate, to the discussion in a meaningful
11 way.

12 SENATOR GAUGHRAN: Thank you very
13 much, Steve.

14 NYSAC EXEC. DIR. ACQUARIO: Thank you,

15 Mr. Chairman.

16 CHAIRWOMAN KRUEGER: Thank you very

17 much, Jim. You threw me off by not using

18 your full 10 minutes.

19 But we will move along to

20 Assemblymember Wallace. Good evening,

21 Monica.

22 ASSEMBLYWOMAN WALLACE: Good evening.

23 Thank you so much, Chair.

24 And thank you, Mr. Acquario, for your

1 testimony. I don't think we've had the
2 opportunity to meet in person, but I look
3 forward to doing that soon.

4 I agree with a lot of the comments
5 that you've made today. In particular, I
6 want to state that I join your call to
7 eliminate the sales tax diversion for
8 distressed hospitals, and also to make the
9 sales tax permanent for the counties.

10 I want to drill down a little bit on
11 the issue of childcare, and I want to thank
12 you for your comments and for your support of
13 the pilot program that's being requested for
14 Erie County. Just in context, Erie County,

15 in conjunction with Cornell, did a study that
16 showed that the true cost of childcare, that
17 the cost of childcare is \$2,000 to \$5,000
18 more per child than the state pays to the
19 provider. And that results in essentially
20 childcare providers losing money for each
21 child that they take that's subsidized, which
22 is causing them to not be able to have enough
23 money to pay their workers, their workers are
24 working for substandard pay and they're

1 leaving for other jobs, which results in less
2 slots available. And so it has this sort of
3 domino effect.

4 And the point of the childcare study
5 is to say -- the pilot program is to say not
6 only that we need to increase the number of
7 slots available, but we need to increase the
8 rate at which the reimbursement is made by
9 the state.

10 So can you talk a little bit about why
11 you think that that pilot program will be
12 helpful to not only Erie County and
13 Tompkins County, but also all of New York
14 State in terms of recognizing a way to

15 perhaps shore up the industry.

16 NYSAC EXEC. DIR. ACQUARIO: Thank you

17 for the comments. And again, I think that

18 New York can lead the nation in this

19 discussion and provide a way through this

20 situation.

21 We think that a \$20 million supplement

22 to Erie County can help other counties learn

23 how to best address this. Erie County is the

24 largest county outside the City of New York,

1 and we're asking to supplement the county's
2 childcare block grant allocation and raise
3 market rates, as you mentioned.

4 We believe that this money, through
5 the Cornell study, will allow the county to
6 better align the actual cost of childcare
7 with the Office of Children and Family
8 Services market rate, as you have been
9 mentioning. We believe that it can increase
10 the wages of childcare workers and help get
11 parents back to work without decreasing the
12 number of children served.

13 But we can't get to that until we fund
14 this program and have Erie County prove out,

15 with Cornell, this proof of concept here, and
16 it needs to be a statewide approach. But we
17 have to start somewhere. And, by starting
18 with projects that are already in the
19 pipeline in Tompkins County and this
20 extensive study that Cornell did in
21 Erie County, that we can best get across this
22 issue and Cornell can really study the
23 effectiveness of the pilot programs.

24 ASSEMBLYWOMAN WALLACE: Well, I think

1 it's going to be incredibly valuable to not
 2 only Erie County and Tompkins County but all
 3 of New York State, and I want to thank you
 4 for your support. And we're going to do what
 5 we can, Assemblymember Kelles and I and
 6 everyone, to try to get that across the
 7 finish line. So thank you so much.

8 NYSAC EXEC. DIR. ACQUARIO: Thank you
 9 for your leadership.

10 CHAIRWOMAN KRUEGER: Thank you.

11 Senator Tom O'Mara, ranker on Finance.

12 SENATOR O'MARA: Thank you, Senator.

13 Good evening, Steve.

14 CHAIRWOMAN KRUEGER: Give him five

15 minutes, please. Sorry, Tom, I'm trying to

16 get you the correct clock.

17 Five minutes for Ranker O'Mara.

18 SENATOR O'MARA: Hopefully I won't

19 even need three minutes, but we'll see.

20 Steve covered a lot of the territory already.

21 And Steve, thank you for the

22 discussion on childcare. It is critically

23 important across the state, but there's very

24 few slots in Tompkins County, and those

1 efforts are drastically needed everywhere.

2 So hopefully that's going to be a success and

3 we can get that done.

4 You talked a little bit about unfunded

5 mandates, so I'm not going to get into that

6 with you. You know I've been a champion of

7 that for years. But what's NYSAC's position

8 on if we get to mandate relief, say this

9 7 billion of Medicaid that's directly on the

10 property tax rolls, what's NYSAC prepared to

11 do or agree to to make sure that that comes

12 off the property tax roll if that mandate's

13 relieved, that cost?

14 NYSAC EXEC. DIR. ACQUARIO: Well,

15 we've talked about that before. As the state
16 begins to assume the functions, the property
17 taxes should go down correspondingly. It's
18 right, it's fair. Our taxes are too high.
19 Look at the population drain. We're losing
20 another member of Congress in the state. We
21 need to do everything we can to help keep
22 people in this state. By reducing property
23 taxes, we can do just that.
24 We have to begin -- if it's good

1 enough to mandate a policy, it ought to be

2 good enough to fund at the state level.

3 SENATOR O'MARA: Absolutely. Thank

4 you. Thanks for the commitment if we're able

5 to make that progress. And I hope we can.

6 You know, we're in a good financial position

7 presently.

8 The other area I wanted to ask you

9 about was 911 and the grant process for those

10 upgrades and things. Can you generally

11 outline for us what's going on with those?

12 NYSAC EXEC. DIR. ACQUARIO: Yes. I'd

13 like to ask Ryan to just weigh in for

14 30 seconds.

15 I want to say that, look, we estimate
16 it's going to cost about \$2 billion for
17 county-based 911, enhanced 911 systems.
18 Taking video, people have cellphones now,
19 they're using their cellphones to send video
20 to 911 systems. We have to have the
21 technology to process these emergency
22 requests. For crying out loud, this is
23 people's lives on the line, and we don't have
24 technology that's been upgraded to meet

1 federal standards. We're one of a handful of
2 states, two or three states, that divert 911
3 surcharge funding on our cellphones, on our
4 landlines -- we're diverting it at the state
5 level and not returning it back to
6 county-based 911 service providers. That's
7 outrageous. We have to stop that.

8 But the real request that we have
9 right now is that we have two separate
10 programs that are in place right now, two
11 funding streams. And the grant programs that
12 are coming to the counties, they're coming to
13 us in a very delayed manner. Tioga County,
14 desperately looking to upgrade its system

15 right now, can't get a grant allocation out

16 of it. It's owed this money.

17 We think that the year that you as a

18 legislative body appropriate these funds,

19 they should also be released to the counties.

20 Ryan, do you want to add anything else

21 on that?

22 NYSAC LEG. DIR. GREGOIRE: Yeah, the

23 only thing I would add to Stephen's comments

24 is the two grant allocations, the PSAP grant

1 and the SICG, State Interoperable
2 Communications Grant, have been stagnant
3 level funding for many years now. Ten
4 million dollars for PSAP, \$65 million for
5 SICG -- of which 20 million is this target
6 fund that Stephen's mentioning.

7 We really need those monies to be
8 distributed in the year they're appropriated,
9 and the Legislature should look to increase
10 that funding from the revenue that's
11 generated already from the 911 surcharge.

12 SENATOR O'MARA: Great. Thank you for
13 that. Thank you for the work that you guys
14 do on behalf of the counties. And I look

15 forward to hopefully making some progress on
16 these. But one thing I can assure you, that
17 for the last 10 years no grants have moved
18 with any expediency whatsoever. We're hoping
19 to see a change going forward in that kind of
20 timeliness -- when things are awarded, that
21 they actually get paid. It's been a problem,
22 and we're looking to improve upon that.

23 So thank you both very much.

24 NYSAC EXEC. DIR. ACQUARIO: Thank you.

1 That's why you appropriate, Senator, and put
2 all that work into appropriations. It would
3 be nice to see them actually awarded.

4 Thank you.

5 CHAIRWOMAN KRUEGER: Thank you.

6 And seeing no other legislators' hands
7 up, I also don't want to take up time, I just
8 want to thank you very much, Stephen, and
9 actually the Association of Mayors and the
10 Association of Towns coming up. All three of
11 your associations are always so valuable to
12 us as we are trying to sort through an
13 enormous budget each year, and all three of
14 you offer perspectives that I think details

15 what's really going on in local governments
16 that we might not ever have access to if not
17 for your hard work and the work of your
18 staffs collecting up the priorities of all
19 these different local governments in
20 New York.

21 So I don't have a question tonight. I
22 look at your legislation and I learn things,
23 even when we don't all agree, which is part
24 of the game.

1 All right, so I want to thank you very
2 much, Stephen, for your time and your staff's
3 time, and move it to Gerald Geist, the
4 Association of Towns of the State of
5 New York -- or the State of New York
6 Association of Towns, I'm not sure which
7 order it's in. Stephen {sic} Geist for
8 10 minutes.

9 AOT EXEC. DIRECTOR GEIST: Good
10 evening, Senator Krueger and members of the
11 State Legislature. Thank you for having the
12 Association of Towns here tonight. With me
13 is our chief legislative counsel, Sarah
14 Brancatella. And we welcome this late hour

15 to address some of our critical concerns

16 about the State Budget.

17 I'm a former town board member of the

18 Town of North Castle from the County of

19 Westchester, and I know town issues

20 firsthand. I served as a town board member

21 for 24 years. The Association of Towns

22 represents 933 towns across the state, where

23 9 million of our residents live. We're

24 extremely diverse, and we play important

1 roles in providing services to our residents

2 each and every day.

3 This is the best budget we've seen in

4 years from the executive office. Governor

5 Hochul's delivery of her commitment to local

6 government is a refreshing change from the

7 past administrations. Her appreciation of

8 the importance of local government is clear

9 throughout this budget, and her ability to

10 work with us since she's assumed office.

11 We want to focus on three issues

12 today: AIM, CHIPS, and the ADU and

13 transit-oriented development proposals.

14 On AIM, we're thrilled to see that the

15 program, under the budget proposal by

16 Governor Hochul, has now been restored to

17 state funding. We've been asking for that,

18 and I know you in the Legislature have heard

19 our cry over the last couple of years and

20 have been outstanding in our support of

21 trying to restore it. And we thank you for

22 all your hard work for towns over the last

23 couple of years. We know you hear us, you

24 support us, and it's very important that the

1 Legislature has been a great partner with us
2 on that very important issue.

3 The thing about AIM, though, it hasn't
4 been increased since 2009. It's really time
5 to address the fact that not only is it going
6 to be restored to the state funding budget,
7 but we need to really increase the funds.

8 Why do we need more funds? Well, everybody
9 knows services cost more, supplies cost more,
10 making sure of the commitments to our
11 citizens all costs more money, and we can't
12 do it at the levels of 2009 dollars.

13 So we're asking the Legislature to
14 consider an increase -- I think the

15 Conference of Mayors' Peter Baynes outlined a
16 very interesting proposal of how to do it and
17 the rationale behind it, and we would be
18 supportive of that direction as well.

19 Highway funding. We're very excited
20 that the Governor has restored Extreme Winter
21 Recovery funding, PAVE-NY and the new pothole
22 program. But we feel that, once again, we
23 need to increase the base. We need to
24 increase the base for CHIPS, so -- because

1 these other programs don't increase the base
2 we need to show that dollar commitment to the
3 roads. Very critical to help people get to
4 work, help kids get to school. We need to
5 make that commitment going forward.

6 Now, the one thing we do disagree with
7 the Governor on is the accessory dwelling
8 unit and transit-oriented development. You
9 know, coming from Westchester, we had to deal
10 with this issue decades ago. And many of the
11 communities, including mine, drafted
12 ordinances and acted and created units all
13 over our town, and it happened all over
14 Westchester.

15 This top-down legislation does not
16 take into consideration all the hard work
17 that's already been done. In fact, the
18 failure of the legislation by overriding
19 local authority -- home rule, if you will --
20 is really an anathema to how government
21 really works. Those of you in local
22 government know that we have to wrestle with
23 the impacts on sewer and water. We have to
24 deal with transportation issues. We need to

1 deal with density, off-street parking. And
2 we need to deal about -- and this is one of
3 the things we had to deal with with this law
4 in my town, is the impact of sending -- how
5 many more kids would go to schools and the
6 impact on the schools if we increased more
7 density units.

8 The fact that this legislation doesn't
9 have any of this collaborative effort,
10 doesn't call for any of this kind of
11 discussion leaves it, in my opinion, not
12 worthy of consideration at this time. The
13 fact that it's even in the budget really
14 doesn't account to give this opportunity for

15 people to discuss the important issues this
16 legislation is.

17 Overriding home rule, overruling local
18 regulations, overruling master plans,
19 planning boards, zoning boards, how these
20 things factor into a community and community
21 input, is really the wrong direction on this
22 issue. This is a really important issue, and
23 the Association of Towns applauds the
24 discussion, but we feel there's a better way

1 to do it which includes a collaborative
2 effort with towns, the villages, the cities
3 and the State Legislature working together to
4 come up with a comprehensive, well-thought-
5 out plan, which this legislation doesn't do.

6 We believe we should incentivize ADUs.
7 How do you incentivize? For example, you
8 could commit dollars to sewer and water
9 programs for each community so that they
10 would have the ability to take in additional
11 units. That would be one way to incentivize
12 this.

13 But we need to think about this from a
14 whole town, a whole state perspective. Just

15 because if you look at the transit
16 development plan, it talks about bus
17 stations -- but you really need to understand
18 if the bus runs once a day or it runs five
19 times a day to get people to work. Those are
20 the kind of issues we had to wrestle with on
21 the local level. But all this is missing
22 from this proposed legislation.

23 And I said this before. Water and
24 sewer is critical. The legislation talks

1 about impacts on septic, but the community
2 has to be able to accept the new population
3 coming in, because our systems are crumbling
4 and aging and we need to not only repair and
5 keep them going, but we have to improve those
6 systems. And this legislation doesn't
7 account for that.

8 As I've always said, local government
9 is the best way to address and hear the
10 complaints of the public, and their concerns,
11 and this legislation attempts to override
12 that ability. So we would like to see this
13 legislation taken out of the budget and
14 restructured so to give everybody a better

15 opportunity to weigh in on this very

16 important issue, but not by overriding

17 home rule.

18 Now, a couple of other things in the

19 state budget. We're very supportive of the

20 Governor's proposal on the interest rate on

21 judgments. Nine percent doesn't make any

22 sense. We need help on that front.

23 Local ethics reform, we shouldn't do a

24 piecemeal approach to Article 18 but, rather,

1 a comprehensive review of the entire program.

2 Code enforcement. The provisions in

3 the state budget on code enforcement once

4 again are piecemeal and don't take into

5 account how to address the problems. We need

6 to come up with a plan to strengthen code

7 enforcement, but not to penalize or have

8 standards that aren't able to be measured to

9 determine whether code compliance programs

10 are working or not.

11 And the last thing I would like to say

12 is we want to increase the CHIPS threshold,

13 very important, as I've heard that testified

14 today. And then on the revenue from the

15 vacation rental industry, we want to make

16 sure that those dollars go to all levels of

17 government wherever those properties are

18 situated.

19 I know the hour is late, and I know

20 you might have lots of questions, but I would

21 like to say thank you once again for the

22 support of towns that you've always given us,

23 and thank you for hearing our concerns on

24 this year's state budget. Thank you very

1 much.

2 CHAIRWOMAN KRUEGER: Thank you very

3 much.

4 And we're going to start again with

5 the Assembly chair, Fred Thiele. Are you

6 there, Fred?

7 ASSEMBLYMAN THIELE: Sorry, had to

8 unmute there.

9 Thank you very much, Chair Krueger, I

10 much appreciate it.

11 And Gerry, it's good to see you.

12 Thank you for your testimony.

13 Let me start with AIM again. You're

14 presenting a proposal with about a 2 percent

15 increase, basically. The NYCOM presented a
16 bit more of a robust proposal of taking the
17 cost-of-living adjustment from -- during the
18 freeze, which would be more, and then they
19 talk about a formula.

20 I don't want to get into what the
21 amount of money should be. That's going to
22 be a budget negotiation, and you both come
23 out with the concept that there should be an
24 increase, and many of us in the Legislature

1 agree with that after all these years.

2 My question to you, though, is that if

3 there is an increase, you know, there was

4 some talk from NYCOM about a formula. Do you

5 think it should just be a percentage across

6 the board increase, or do you have interest

7 in a formula? And if you do, what do you

8 think should be in that formula?

9 AOT EXEC. DIRECTOR GEIST: Well, I

10 agree with Peter Baynes when he talked about

11 that the AIM, how it's structured currently

12 is -- it hasn't been revised in decades. And

13 I just want to point out, for example, some

14 of the inequities of the current AIM

15 legislation. Hempstead, which has 800,000
16 residents, approximately, gets one-quarter of
17 the amount of dollars that the City of Albany
18 gets. So it's not based just upon
19 population.

20 So I would look at a new stream of
21 funding for future dollars, because it might
22 be more equitable based upon towns with
23 larger populations -- which a lot of them are
24 out on Long Island, as you know, Fred. And

1 so we want to make sure that there's better
2 equity on those types of dollars going
3 forward.

4 ASSEMBLYMAN THIELE: Okay. And, you
5 know, a lot of conversation today about the,
6 you know, zoning provisions that are in the
7 budget. I'm not going to repeat what I said
8 earlier with NYCOM. I obviously do not think
9 that this is the right approach and, you
10 know, think that an incentive-based
11 approach -- basically a carrot, not a stick.
12 You know, we all recognize that there's the
13 need for additional housing. But, you know,
14 it seems to me -- and you mentioned some

15 incentives as far as infrastructure and
16 things of that nature. Are there any other
17 incentives? Could you see maybe tax credits
18 or grants? How would you feel about those
19 kinds of things?

20 AOT EXEC. DIRECTOR GEIST: I think --
21 yeah, so like when we mentioned one
22 incentive, I would also -- would think that
23 incentives would also be necessary for grants
24 to the towns for code enforcement and to make

1 sure that all these new units are safe.

2 And we need to make sure that we can

3 provide adequate parking for these units.

4 So I think, you know, we need to have

5 a robust discussion about what possibilities

6 are out there to incentivize and make this

7 work. But the way it's written, top down,

8 doesn't make any sense. It just overrides

9 the ability of local governments to function.

10 ASSEMBLYMAN THIELE: Yeah, this

11 approach is definitely a mandate, kind of

12 imposes requirements on local governments

13 that they have to comply with. You know, I

14 think a lot of what we've heard today about

15 it, you know, an alternative approach is an

16 incentive-based, a collaborative approach

17 between state and local governments with

18 incentives.

19 I did a little bit of research on this

20 and, you know, other states have done various

21 things here. I just wanted to get kind of

22 your impression about this. I think the

23 State of Connecticut has -- they did

24 something with accessory dwelling units, but

1 they had an opt-out provision for local
2 governments. I'm not sure if it was they
3 could opt out completely or there were
4 aspects of the law they could opt out of.

5 What would you think about having
6 opt-out provisions for something like this?

7 AOT EXEC. DIRECTOR GEIST: Well, I'm
8 only going to speak for myself and my own
9 experience on this issue. I don't think you
10 should allow opt-outs. If we're really
11 interested in supporting and endorsing the
12 idea of creating more affordable housing
13 units, I don't think you can allow
14 communities to just opt out. There's got to

15 be a metric, there's got to be a measure.

16 But I think it's a goal that we should

17 strive for, but we just can't do it in this

18 type of manner. And I think this really

19 needs some further study, a lot of input from

20 towns and villages and cities on the issues

21 that they confront so we can come up with an

22 appropriate bill.

23 ASSEMBLYMAN THIELE: Gerry, thank you

24 very much. Sarah, good to see you also.

1 Thank you very much.

2 AOT EXEC. DIRECTOR GEIST: Thank you,

3 Fred.

4 CHAIRWOMAN KRUEGER: Thank you, Fred.

5 And next up is Jim Gaughran, the chair

6 of Local Government in the Senate.

7 SENATOR GAUGHRAN: Thank you,

8 Madam Chair.

9 And good to see you, Sarah. And

10 Gerry, good to see you as well.

11 Just following up on Fred, I don't

12 think it would take us a long time to have to

13 figure out how to convert this to an

14 incentive program, because there are so many

15 municipalities in the state, including some
16 on Long Island and in my district, that are
17 already doing this.

18 So maybe we should look at putting --
19 trying to see if we can get some funding into
20 the budget for an incentive program that
21 towns and villages and cities could apply
22 for, you know, and begin it maybe even as a
23 pilot project, and then work very quickly to
24 try to develop what the program would be.

1 What would you think of something like

2 that?

3 AOT EXEC. DIRECTOR GEIST: So,

4 Senator, thank you again for your support of

5 the towns and your interest in local

6 government.

7 I want to say two things, and then I'm

8 going to let Sarah comment on another portion

9 of it.

10 A lot of towns already have these laws

11 and have been acting under these guidelines

12 for decades. And I think there should be

13 some consideration of a grandfather in

14 whatever legislation is down the road on this

15 subject. Because if towns have been doing it
16 effectively and working it out in a
17 reasonable, rational way, why should they be
18 imposed upon when they've already been doing
19 it right? It sort of reminds me of --

20 SENATOR GAUGHRAN: But if they wanted
21 to do more of it, if we gave them an
22 incentive in some funding --

23 AOT EXEC. DIRECTOR GEIST: Then you
24 could incentivize, right.

1 Just as we had this whole discussion
2 on shared services years ago about towns have
3 been doing it for generations, we should
4 remember those kind of discussions as we look
5 into this.

6 Sarah, do you want to comment on what
7 else the Senator says?

8 AOT LEG. DIR. BRANCATELLA: Sure. I
9 just wanted to bring up the fact -- and I
10 don't think it's been raised a lot -- that
11 the issue of affordable housing and accessory
12 dwelling units doesn't just impact more
13 densely populated areas, it also is something
14 that is very important to our rural

15 communities. Especially with seasonal
16 workers, it's a very important issue. So one
17 of the reasons why a top-down approach
18 doesn't necessarily work is because, as Gerry
19 mentioned, our towns are so remarkably
20 diverse.

21 Assemblymember Thiele, you mentioned
22 doing an opt-out. Even if you had a standard
23 local law at the state level, or standard
24 rules at the state level that towns could opt

1 out of, while that certainly is an
2 improvement over a mandate, the top-down
3 approach doesn't account for the nuances and
4 particular concerns of each community.

5 And Senator Gaughran, I had listened
6 to some of your questions that you presented
7 to Peter Baynes and the Conference of Mayors,
8 and I have some thoughts on those if you're
9 interested in hearing them.

10 SENATOR GAUGHRAN: Sure.

11 AOT LEG. DIR. BRANCATELLA: In
12 particular, you asked about the idea of what
13 "ministerial" means. And I had that flagged
14 from my lawyer's -- putting my lawyer's hat

15 on.

16 I had a similar concern about that,

17 because in the land-use context you often

18 hear about things allowed as a matter of

19 right. That's why you have special-use

20 permits. But even something that's allowed

21 as a matter of right you're still allowed to

22 impose conditions on, and that's just not the

23 case involved with this legislation. So I

24 had a lot of concerns with the term

1 "ministerial."

2 And you had also asked about the

3 possibility of other laws and other

4 protections, whether they would apply to

5 this. I just wanted to point out some

6 language on page 170 of ELFA, in particular

7 subdivision 8. And it says that no policy or

8 regulation other than the local law

9 authorized shall be the basis for denying a

10 permit. And while there are some allowances

11 for taking into consideration watershed

12 protections and wetland protections, I think

13 the fact that it is so focused on the health

14 and safety of the occupant, instead of the

15 community, is a cause of concern. And I
16 think that some of the legislation -- the
17 local protections that you had mentioned,
18 they potentially would not be able to be the
19 basis for rejecting an ADU permit. Because
20 it is -- there is no discretionary review,
21 the local government doesn't really have a
22 lot of discretion -- or any discretion,
23 really -- to deny a permit. And I think that
24 that is particularly problematic with some of

1 the things that you raised.

2 SENATOR GAUGHRAN: Okay, thank you,

3 Sarah.

4 And finally, I just want to talk about

5 potholes. You know, Governor Hochul is now

6 very proudly allowing people to refer to her

7 as Governor Pothole with this \$1 billion in

8 the budget, which I fully support and think

9 is a great idea. But I also think the

10 implementation of that is something that

11 we're probably going to have to develop, you

12 know, after it's put in the budget.

13 So I would, you know, love to have

14 your thoughts either now or in the future on

15 how that could be implemented. Because I
16 could see this in effect as providing
17 municipalities, you know, with some
18 additional sort of CHIPS money, because there
19 are many roads in certain municipalities that
20 are just one pothole after another. And that
21 maybe there can be a grant program or an
22 application process that this could be used
23 for that purpose as well. Just wanted your
24 thoughts.

1 AOT EXEC. DIRECTOR GEIST: We would
2 welcome the opportunity to give some
3 suggestions, Senator Gaughran, as to the
4 pothole program. We're very desirous of
5 this, but we also believe, as we stated, that
6 we need to increase the base on CHIPS.

7 SENATOR GAUGHRAN: Right. Okay. But
8 also a lot of the money is first going to
9 have to go to fix the Long Island
10 Expressway -- I'm going to use my regional
11 hat here -- because we've got a lot of them.

12 (Laughter.)

13 SENATOR GAUGHRAN: Thank you.

14 CHAIRWOMAN KRUEGER: Are you done,

15 Jim?

16 SENATOR GAUGHRAN: Yes, I am, thank

17 you, Madam Chair.

18 CHAIRWOMAN KRUEGER: Thank you very

19 much.

20 I'm now going to jump to

21 Assemblymember Otis.

22 ASSEMBLYMAN OTIS: Thank you, Senator.

23 And Gerry, nice to see you.

24 AOT EXEC. DIRECTOR GEIST: Good to see

1 you, Steve.

2 ASSEMBLYMAN OTIS: You do bring a lot

3 of history to this world, so the Association

4 of Towns is very lucky to have you.

5 Earlier I had asked your colleague

6 from NYCOM about cybersecurity, and

7 especially for towns and smaller towns I

8 think they are very much soft targets. What

9 are you hearing from your members in terms of

10 the challenges of cybersecurity protection?

11 Who are they using, who are they going to, if

12 anybody, to try and play a little defense?

13 AOT EXEC. DIRECTOR GEIST: Well, the

14 best strategy is really to be prepared.

15 Right? And we're so happy, as Peter Baynes
16 mentioned earlier, about the NYMIR program,
17 which has been a tremendous leader here, and
18 I have to thank Steve Acquario, Mark LaVigne
19 at the Counties Association for helping take
20 the lead on coming up with a cybersecurity
21 program to help local governments get ahead
22 of it, plan. Because this is an area of real
23 concern for our members.

24 ASSEMBLYMAN OTIS: And are you

1 hearing -- without going into details, you
2 probably also get alerted when somebody's
3 been attacked and they're in a more
4 challenging situation. How often are you
5 getting those reports?

6 AOT EXEC. DIRECTOR GEIST: Well,
7 thankfully we don't get them every day,
8 Assemblyman, but it's certainly on our radar
9 watch. We do hear about it, and we try to
10 act on it as quickly as we can.

11 But as I said, we're trying to be
12 proactive through that NYMIR program, and we
13 are getting our message out. And it's nice
14 to see the three associations working on a

15 way to get municipalities to prepare and
16 defend themselves on this very important
17 issue.

18 ASSEMBLYMAN OTIS: Gerry, thank you.

19 Nice to see you. Sarah, thank you as well.

20 CHAIRWOMAN KRUEGER: Thank you.

21 And I believe our closer is Senator

22 Tom O'Mara.

23 SENATOR O'MARA: Thank you, Senator.

24 Good evening, Gerry, Sarah. Thanks

1 for hanging in there.

2 You know, I'm glad to hear you say

3 that you see this budget as the best budget

4 in ten years or so, which for local

5 governments I agree with you, it is. Because

6 the prior administration policy was to I

7 think bleed dry local governments out of

8 existence. So I'm glad we're seeing some

9 turning of the corner here to improve that.

10 And I just -- it's unfortunate that

11 the budget is tarnished with this ADU zoning

12 issue, with taking the -- infringing upon

13 home rule. Which I think zoning should be

14 one of the strongest areas for home rule and

15 what a community wants, doesn't want, how

16 they want it done. So I'm with you on that.

17 I'm with you on the CHIPS base aid,

18 that I'd rather have the increased money in

19 the CHIPS base aid. But the pothole fund is

20 great. Do we have the details yet on the

21 pothole fund? Is that going to be

22 distributed similar to the CHIPS formula, by

23 road miles? Or do you know?

24 AOT EXEC. DIRECTOR GEIST: Sarah, do

1 you know? I'm not sure it's been --

2 AOT LEG. DIR. BRANCATELLA: I think

3 some of that information is still

4 forthcoming. We don't have the details on

5 that.

6 SENATOR O'MARA: Okay. And do you

7 know, is that separate funding because it's

8 pothole funding? Is that going to have some

9 different criteria, maybe, on the longevity

10 of what the repair is? Because the capital

11 projects under CHIPS have to have a certain

12 duration, expected life span. Is this for

13 maybe shorter-term projects, just patching

14 things up?

15 AOT LEG. DIR. BRANCATELLA: That was

16 the impression that I got from Governor

17 Hochul's comments on it, that it was

18 literally pothole repair, not necessarily

19 long-term infrastructure investments. So our

20 understanding currently is that it's for

21 shorter-term bandaids.

22 SENATOR O'MARA: I certainly hope

23 that -- well, I'd rather have it rolled into

24 the base aid for CHIPS, as we've said. But I

1 hope it at least is going to get fairly
2 distributed along the lines of the CHIPS
3 program, because frankly I think that that's
4 one of the fairest funding distribution
5 methods we have in state government. You
6 know, per mile. So no matter, you get what
7 you have mileage-wise. So that's critical.

8 One last thing I wanted to ask you
9 about. My understanding is that the federal
10 pandemic aid is -- flows not directly to
11 towns, it's coming through the state to the
12 towns. Can you tell us how that process is
13 going? Are those funds flowing? Are they
14 getting held up? You know, because the prior

15 administration, you know, their philosophy
16 was to hold onto every nickel as long as they
17 possibly could and not send it out the door.

18 So is this federal pandemic aid
19 getting to you guys in a timely fashion?

20 AOT EXEC. DIRECTOR GEIST: Senator,
21 before I turn it over to Sarah, who's --
22 another moniker that she wears in the office
23 is she's the ARPA person in our office -- I
24 do want to -- I think we have to thank

1 Senator Schumer for taking the leadership in
2 the U.S. Senate, for making sure that monies
3 didn't go directly to the state, but created
4 a vehicle to go down directly to the
5 localities. And Senator Schumer and his
6 staff deserve a tremendous amount of credit.

7 Sarah, you want to fill in the rest of
8 the question -- the answers to the question?

9 AOT LEG. DIR. BRANCATELLA: Sure.

10 I have to commend the Division of
11 Budget on working with local governments and
12 distributing ARPA funds. Out of the
13 933 towns in New York State, I've only heard
14 of one town having an issue, and it was due

15 to a secretarial mistake.

16 So the Division of Budget has been --

17 over the summer I talked to them almost every

18 day, and they were truly phenomenal at making

19 sure that these funds were distributed

20 immediately and in a timely fashion to towns.

21 So we were really pleased to work hand in

22 hand with them, and I would be remiss not to

23 acknowledge their significant efforts and the

24 great work that they did. And I know that

1 our towns are extremely thankful for that.

2 SENATOR O'MARA: Well, I'm very glad

3 to hear that. That's a nice note to -- well,

4 not quite finish our night off, but we're

5 getting there.

6 So thank you both very much.

7 AOT EXEC. DIRECTOR GEIST: Thank you,

8 Senator.

9 CHAIRWOMAN KRUEGER: Thank you.

10 With no other hands raised by

11 legislators, I'm going to excuse you. Gerry,

12 thank you and your staff for coming in

13 tonight. Appreciate all your hard work.

14 And I am going to move us along --

15 just double-checking a Zoom message to me.

16 "I'm on the next panel, seem to be having a

17 Zoom issue. Would someone help me?" I'm

18 assuming somebody took care of that

19 message -- yes, good, because you're here.

20 All right, I'm going to just start

21 with -- this is the part of the hearing where

22 we move from government reps to people who

23 asked to testify, and so the rules change a

24 little bit.

1 We have the full panel testify in a
2 row for three minutes each. Then we open it
3 up to any legislators who want to ask the
4 panel questions for a total of three minutes
5 each, and your ranker and chair status are no
6 longer relevant.

7 So let's start with Empire State
8 Indivisible, Danielle Brecker, co-lead
9 organizer; League of Women Voters, Laura
10 Bierman, New York State executive director;
11 New York State Election Commissioners
12 Association, Dustin Czarny -- and there's a
13 much longer name, Democratic caucus chair and
14 Onondaga County Board of Elections

15 commissioner. And then Brennan Center for

16 Justice, Joanna Zdanys, senior counsel.

17 Let me see, is there anyone else on

18 this panel on the next page? No.

19 So if you'd start, please, in that

20 order, with Danielle from Empire State

21 Indivisible. Good evening.

22 MS. BRECKER: Hi, hello. Can you hear

23 me?

24 CHAIRWOMAN KRUEGER: Yes.

1 MS. BRECKER: So thank you for the
2 opportunity to testify in support of funding
3 the Statewide Public Financing Program in the
4 full year 2022-2023 budget.

5 I am Danielle Brecker, co-lead
6 organizer of Empire State Indivisible. The
7 Indivisible movement is predicated on holding
8 our elected leaders to account. Empire State
9 Indivisible is dedicated to policies that
10 amplify the voices of New Yorkers in our
11 democracy. We have been working with other
12 grassroots groups in the Fair Elections for
13 New York Coalition since 2018.

14 Empire State Indivisible has canvassed

15 across our state, asking New Yorkers to
16 support policy and candidates. We have seen
17 candidates with bold policy platforms
18 struggle to raise money, stay in the race,
19 reach voters and get elected. We have seen
20 the devastating and stifling influence of
21 corporate and special interest money on our
22 communities and communities across the state.

23 The New York Small Donor Public
24 Financing Program is key to changing this.

1 We are pleased to see funding for the program
2 in Governor Hochul's Executive Budget. We
3 support the inclusion of 10.5 million for the
4 administration of the program and 10 million
5 for future matching funds in the
6 Executive Budget.

7 Today we ask the Senate and Assembly
8 to increase the appropriation for future
9 matching funds to \$40 million, to be in line
10 with the projected cost of the first
11 legislative cycle of the program. We ask
12 that the program be as strong and as bold as
13 the many diverse candidates it will uplift.

14 It is important that the program

15 receives adequate funding this year -- to
16 build confidence in the program for both
17 candidates and voters. The potential
18 benefits of this program cannot be
19 overstated. Public financing can help stymie
20 the disproportionate influence of large
21 corporate and special interest donors on our
22 democracy. The weight and influence of these
23 corporate and special interest donations are
24 at odds with the solutions we need for our

1 communities.

2 Public financing is key to fostering a
3 multiracial democracy. Folks from all walks
4 of life can run and win without needing to
5 know or depend on donors who can write big
6 checks. Together with voting reforms, this
7 policy brings more people into the democratic
8 process. We do not have to look beyond the
9 new New York City Council to see how well it
10 can work.

11 Funding this program now is an
12 investment in our democracy's future. We
13 commend the budget lines in the Executive
14 Budget and strongly urge you, the

15 Legislature, to increase the funding for

16 future matching funds to 40 million.

17 Thank you again for the opportunity to

18 testify in support of this important reform.

19 CHAIRWOMAN KRUEGER: Thank you very

20 much for testifying.

21 And now the League of Women Voters.

22 MS. BIERMAN: Thank you. Thank you

23 for the opportunity to testify today. I'm

24 Laura Ladd Bierman, executive director of the

1 League of Women Voters of New York State.

2 The league is a nonpartisan, grassroots

3 organization with a mission to educate the

4 public to become engaged members of their

5 communities and informed voters.

6 We believe voting should be made as

7 easy as possible for all New Yorkers, and we

8 greatly appreciate the tremendous gains that

9 have been made in the last couple of years in

10 making voting more accessible. And we

11 applaud the Legislature for enacting these

12 reforms. However, many of these reforms

13 still have not been sufficiently funded,

14 particularly with voter participation this

15 year expected to significantly increase from

16 last year.

17 The expansion of early voting last

18 year with more poll sites now required, and

19 extended hours of the poll sites, was

20 great -- but only if funding is provided. We

21 did not want these reforms to become unfunded

22 mandates on the counties. The reappropriated

23 funds for county boards of elections must

24 remain in the budget, and increased if

1 possible, for early voting options to be
2 available for all voters in all counties.

3 The current outdated process used by
4 New York State to collect, process, send,
5 receive and count absentee ballots is slow,
6 cumbersome and costly. Reforms for absentee
7 voting are greatly needed -- but again, only
8 if funded. Ballot tracking systems could
9 give voters confidence that their ballot was
10 received and counted. Ballot drop boxes can
11 make voting easier and safer for their
12 ballots. Return postage on ballots could
13 delete a cost to voters to vote. This is a
14 big election year, and many voters now prefer

15 to vote by absentee ballot. We don't want to

16 discourage that.

17 Two final comments on the budget. The

18 league supports the proposal for poll sites

19 on college campuses, but asks for expansion

20 to include primary elections and early voting

21 in addition to the general election day.

22 The league also applauds the proposed

23 elimination of the 25-day statutory voter

24 registration deadline. Many voters become

1 engaged in the election toward the end of the
2 election season, but by then it's too late
3 for them to register and vote.

4 Elections are often the last item on
5 the list when it comes to county budgets, and
6 many county boards operate with limited
7 funds. The league urges the Legislature to
8 seriously consider the cost of new election
9 improvements when introducing their proposed
10 budgets, and to consider setting up a yearly
11 fund specifically for enhanced election
12 reform like early voting and absentee voting.

13 New York State is finally in the
14 21st century with regard to voting, but we

15 are still funding our elections as if they're
16 being conducted in the pre-technology era.
17 Recent media articles have noted how hard it
18 is for voters to vote in New York State as
19 compared to other states, which is a surprise
20 to many New Yorkers. In order to realize the
21 enhanced goals of the legislative leaders and
22 Governor, we urge a serious funding
23 commitment to the State Board of Elections
24 and county boards of elections be enacted.

1 Thank you for your time today.

2 CHAIRWOMAN KRUEGER: Thank you very

3 much.

4 And our next testifier is Dustin

5 Czarny.

6 MR. CZARNY: Thank you very much for

7 having me. I have submitted written

8 testimony which will go into detail on what

9 I'm going to sum up here just a little bit.

10 However, I want to thank the New York

11 State Legislature for the many reforms that

12 they've given us. Yes, it has provided us

13 with a lot more work at our county boards of

14 elections -- however, this is good work and

15 work worth doing.

16 We do note, though, that this next

17 year we face a huge increase in work with the

18 expansion of early voting and the moving of

19 the canvassing of absentee ballots to

20 pre-Election Day counts -- both reforms that

21 I personally and my caucus support. However,

22 without state funding and state aid, we can

23 see a disparity of resources going from

24 county to county, as local county legislators

1 often do not fund the boards of elections at
2 equal rates from county to county, leaving
3 citizens at the whim of frugal budgets and
4 oftentimes boards of elections being treated
5 as the bastard stepchildren of county
6 government.

7 So we do ask that the New York State
8 Legislature consider the funding levels that
9 you gave us in 2019 when you had us implement
10 early voting and electronic poll books.

11 There was a \$10 million Aid to Localities
12 fund and a \$25 million capital fund. If that
13 was enacted and added to the Governor's
14 budget -- which is a great budget for the

15 State Board of Elections but leaves the
16 county boards of elections out of the mix --
17 if those funds are enacted by the
18 Legislature, as it has traditionally been the
19 role of the Legislature to add those budgets,
20 we can purchase high-speed scanners.

21 We can bring in workers to help with
22 the absentee canvasses to fulfill the goal of
23 having these votes counted by Election Night.

24 We can have electronic poll books on

1 Election Day. Many counties have not rolled
2 those out and only have them on early voting
3 because that's all the money that they had to
4 implement those.

5 We could replace some of our aging
6 precinct scanners. These machines -- some of
7 our counties have had the same ImageCast
8 scanners since 2007, and they're ending their
9 useful life.

10 We need state help to be able to
11 amplify the resources at these local boards
12 of elections to perform the reforms that you
13 have tasked us to give. So please consider
14 adding these budget lines into the budget.

15 And yes, please consider making these a
16 permanent solution for funding elections in
17 New York State.

18 Thank you.

19 CHAIRWOMAN KRUEGER: Thank you very
20 much, Dustin.

21 And our last testifier on this panel,
22 Joanna Zdanys? Help me, sorry.

23 MS. ZDANYS: It's Zde-nees.

24 Thank you. Good evening,

1 Chairs Weinstein and Krueger and members of
2 the Legislature. My name is Joanna Zdanys,
3 and I'm senior counsel at the Brennan Center
4 for Justice. I appreciate the opportunity to
5 testify in support of funding for our
6 elections and voting infrastructure in this
7 year's budget.

8 With malicious and racist attacks on
9 the franchise across the country, New York's
10 leadership in fostering a stronger and more
11 inclusive democracy has never been more
12 urgent.

13 We're grateful to the members of this
14 body for championing policies that expand

15 access to the vote and break down barriers to
16 the political process. One of those is the
17 state's new Small Donor Public Financing
18 Program, which will launch this November.
19 It's the strongest and most ambitious
20 response in the nation to Citizens United.

21 The Brennan Center works on this issue
22 nationally, and I can tell you that
23 jurisdictions across the country are watching
24 to see if New York can implement its program

1 successfully. A modest investment now will
2 help ensure that the program lives up to its
3 promise of giving constituents donating only
4 modest amounts a more important role in
5 fundraising.

6 We're pleased to see funds in the
7 Executive Budget for both program
8 administration and for a portion of the
9 matching funds that will be distributed to
10 participating candidates. But like my
11 co-panelist Ms. Brecker, we urge the
12 Legislature to increase the appropriation for
13 matching funds from 10 million to \$40 million
14 this fiscal year, which is approximately half

15 the amount projected to be disbursed the

16 program's first cycle.

17 It's common practice to build up

18 program funding well in advance of the first

19 election year that candidates use public

20 financing. Prominent programs like those of

21 Connecticut and Montgomery County, Maryland,

22 are just two examples. So providing adequate

23 funds now will build candidate and voter

24 confidence in the program's solvency and help

1 campaigns plan their fundraising strategies
2 using small contributions from constituents.
3 Another important reform, automatic
4 voter registration, is going to launch in
5 January 2023, and we support continued
6 funding to build out the state's online voter
7 registration system, which is critical to
8 AVR's success.
9 And outside of the budget, New York
10 can lead where Congress has failed by
11 adopting the John R. Lewis Voting Rights Act
12 of New York, which if enacted would be the
13 strongest voting rights law in the country to
14 fight race-based voter suppression. And to

15 fully deliver on these reforms, this
16 Legislature must support improvements in
17 elections administration. There are simple
18 yet effective solutions that are available
19 now to promote better voter service. And of
20 course we also support more state funding for
21 local boards of elections to help address the
22 persistent resource challenges that they
23 face.

24 Thank you for your continued

1 leadership in strengthening our democracy.

2 We stand ready to assist, and I am happy to

3 answer any questions you may have.

4 CHAIRWOMAN KRUEGER: Thank you all.

5 And I'm looking for raised hands. And

6 I saw Assemblymember Jacobson first.

7 ASSEMBLYMAN JACOBSON: Thank you,

8 Madam Chair. And I want to thank all the

9 panelists for being in favor of expanding

10 democracy, expanding the vote.

11 As I know Commissioner Czarny knows,

12 because I rely on his organization and the

13 local commissioners as a resource, I pushed

14 last year for additional funding and I was

15 successful, and I'm doing the same this year.

16 We've done incredibly great things --

17 early voting, being able to correct absentee

18 ballots. Now we're going to be able to start

19 counting earlier, so we look like every other

20 state in the nation to know our results on

21 time.

22 But unfortunately all these things

23 take money. And believe it or not, not every

24 commissioner is in favor of these reforms.

1 So it's important that we do it on a state
2 level as far as the funding, and I'll be
3 pushing for it. And I hope that you will
4 also continue to push, not only on the state
5 level but on the local level. Because as you
6 know, people -- politicians do respond, and
7 it's important that you make your voice
8 heard.

9 So I stayed to the end for this
10 hearing because I wanted to be here for this
11 group, just to let you know that you have an
12 advocate here. Letters going out in the next
13 day or two for the budget, and we have to
14 keep pushing because there's more to do. But

15 it does take money.

16 So I don't have a question because I

17 know that you all -- what you're all in favor

18 of, and I just want to thank you for hanging

19 in there and for advocating for our

20 democracy. And voting should be simple and

21 easy; doesn't mean it isn't expensive.

22 So thanks.

23 CHAIRWOMAN KRUEGER: Thank you,

24 Assemblymember.

1 I see Robert Jackson's hand up.

2 Senator Jackson.

3 Did we lose you, Robert? I know

4 Senator Jackson had to go home today because

5 he tested positive for COVID. And I'm

6 wondering whether he's been frozen out.

7 THE MODERATOR: We are asking him to

8 start video and unmute, but so far --

9 (Overtalk in Spanish.)

10 CHAIRWOMAN KRUEGER: That's not Robert

11 Jackson's voice. Who's speaking in Spanish?

12 Will you go on mute?

13 (Spanish interruption continues.)

14 CHAIRWOMAN KRUEGER: Hi, Robert

15 Jackson. I see you and I'm hearing a woman
16 speaking to us in Spanish, and yet it's not
17 you.

18 SENATOR JACKSON: Am I up, Liz?

19 CHAIRWOMAN KRUEGER: You are up.

20 SENATOR JACKSON: I'm sorry, I'm just
21 juggling -- I'm juggling with some other
22 people.

23 CHAIRWOMAN KRUEGER: Can you turn the
24 other person off for a moment?

1 SENATOR JACKSON: Yes. I think I did.

2 CHAIRWOMAN KRUEGER: Good, okay.

3 SENATOR JACKSON: Well, first I want

4 to thank you all for coming in and staying

5 the course of the entire hearing. And I

6 wholeheartedly support all of the funding for

7 early voting, for absentee voting, and for

8 ethics reform. I mean, understanding that

9 this is democracy and we must be able to make

10 sure democracy continues, where people can

11 vote no matter what. And people can register

12 up to the last day if they have not

13 registered. As long as they're telling the

14 truth, they're citizens, and they can vote.

15 That's what it's about. This is democracy.

16 I don't want to do anything to clamp

17 down people's right to vote and exercise

18 their right to vote. And so I say to all of

19 you, my colleagues who may disagree with me

20 and those that are agreed, our job is to make

21 sure that we represent the people, the people

22 of New York State. This is the Empire State.

23 Let's take the lead to ensure that no matter

24 who you are, no matter if you're black,

1 white, yellow, green or blue, whether you're
2 rich or you're poor, that your rights are not
3 being violated by suppressing their right to
4 either register to vote or to change their
5 party designation within a certain period of
6 time or to vote by absentee without an
7 excuse, and deal with ethics reform.

8 And so I support wholeheartedly this
9 panel, and especially the League of Women
10 Voters, and moving forward and coming and
11 saying what needs to be said. And as you can
12 see, it's almost at the end of an entire
13 day's hearing. But I'm still here pushing
14 for it. So thank you, thank you, thank you.

15 As someone that has been registered to vote

16 way back when I turned 18 -- and, you know,

17 I'm exercising my right to speak up for

18 people's right to vote and not to be

19 suppressed and denied the right to vote for

20 whoever they want to vote for.

21 CHAIRWOMAN KRUEGER: Do you know that

22 the Senator's nickname among his Senate fans

23 is Still in the Fight. Senator Still in the

24 Fight.

1 Thank you, Robert.

2 SENATOR JACKSON: Thank you, Madam

3 Chair.

4 CHAIRWOMAN KRUEGER: Take care of your

5 health, please, okay?

6 SENATOR JACKSON: I will. Thank you.

7 CHAIRWOMAN KRUEGER: Thank you.

8 Tom O'Mara, did you have your hand up

9 or you're just in the box so I'm seeing you?

10 You don't have your hand up.

11 All right, I have one question for

12 Dustin. You were making a wonderful pitch

13 for the need for additional money to the

14 county boards of elections. Is there a

15 number?

16 MR. CZARNY: I believe the funding

17 that this Legislature provided in 2019 is a

18 good model to do again this year. And that

19 was \$10 million in Aid to Localities, which

20 allowed us to have more flexibility bringing

21 staffing and offset the cost of early voting,

22 and then \$25 million in capital funding,

23 which will allow us to replace aging voting

24 systems, bring in high-speed scanners for

1 absentees, as well as some counties needing
 2 to expand their electronic poll book fleet to
 3 be able to move those to Election Day to be
 4 able to accomplish all the reforms.

5 I believe those two items from 2019
 6 would be of use this year.

7 CHAIRWOMAN KRUEGER: Okay, so you
 8 never got the 25 million capital, right?

9 MR. CZARNY: We did. We spent it.

10 CHAIRWOMAN KRUEGER: You did.

11 MR. CZARNY: Yeah. Many of us spent
 12 it, and many small counties have already
 13 exhausted that. And they were not able to
 14 expand their electronic poll books to

15 Election Day because they just didn't have
16 enough money -- it was only for early voting.
17 Now that we're going to count
18 absentees before Election Day, we need these
19 electronic poll books on Election Day to make
20 sure people don't vote twice. And also we
21 need high-speed scanners to be able to do
22 those counts for absentees while we're also
23 running early voting and Election Day voting.
24 CHAIRWOMAN KRUEGER: Got it. Thank

1 you.

2 I want to thank all four of you for

3 your testimony here tonight. I also just

4 want to give a shout out to my chair of

5 Elections, Zellnor Myrie, who could not be

6 here but wanted to be, and who is very aware

7 of all of the proposals that all four of you

8 have made.

9 So with that I want to thank you very

10 much for your participation and for staying

11 so late with us. And I'm going to call up

12 the last panel, the New York Land Bank

13 Association -- or it could be the Association

14 of New York Land Banks. I'm never quite sure

15 the way it's written out -- Adam Zarako --

16 MR. ZARANKO: Zarako.

17 CHAIRWOMAN KRUEGER: Thank you. Thank

18 you, thank you.

19 -- and Immigrant ARC, Camille Mackler,

20 executive director. Noah Kazis from the

21 Furman Center could not be with us tonight,

22 but his testimony is included in the package.

23 So why don't we start with Adam.

24 MR. ZARANKO: Thank you, Chair. And

1 thank you to all the legislators for the
2 opportunity to testify today. And thanks for
3 staying to hear about New York's land bank
4 program.

5 So I'm Adam Zaranko. I have the honor
6 of serving as the president of the New York
7 Land Bank Association, and we focus on
8 fostering the growth of the state's land bank
9 program, which is among the largest and most
10 active in the country in terms of
11 effectiveness and number of land banks.

12 I'm also here today as someone that's
13 kind of on the ground and in the trenches.

14 I've served going on six years as the

15 executive director of the Albany County
16 Land Bank, which is one of the largest in the
17 State of New York, and it's the one that
18 helps remove some of those red X's on the
19 properties that surround the Capitol and the
20 things that I'm sure you see when you come
21 visit.

22 You heard a lot today -- and I
23 actually listened to all of it because I
24 wanted to hear from our mayors and our local

1 government leaders. And we heard a lot about
2 vacant and abandoned properties as a
3 challenge. Just about everyone is talking
4 about affordable housing as a challenge in a
5 lot of communities in the state, I think. I
6 don't think there is a community in the state
7 that isn't struggling with one or both of
8 those two items.

9 And so land banks are here to be part
10 of that solution, and we're a proven and
11 effective way to do that. New York's land
12 bank program was actually established in
13 response to the 2008 foreclosure crisis, and
14 we're now 26 in the state and we serve over

15 70 percent of the state's population outside
16 the City of New York. We're not just focused
17 on rural issues. We heard from a lot of
18 upstate mayors from cities today, but also a
19 lot of our rural areas are served by land
20 banks. Actually most of the land banks serve
21 rural areas and cities that are countywide or
22 multiple counties that come together.

23 I put a lot of the numbers in our
24 packet, what we've done. But essentially

1 we're facing kind of a double whammy of
2 challenge. At a time when the foreclosure
3 and eviction moratoriums have expired and
4 we're facing maybe unprecedented levels or a
5 wave of vacant and abandoned properties, tax
6 foreclosures and otherwise in terms of
7 mixture -- residential, nonresidential for
8 the first time -- to wash over our
9 communities, state land banks have ran out of
10 funding and our funding source has primarily
11 been Attorney General bank settlement funds
12 from the 2008 settlements for financial
13 misconduct the Attorney General secured, and
14 land banks were part of the initiatives to

15 help rebuild neighborhoods from that.

16 That money is fully drawn down, and so

17 our request is to have simply a continuation

18 of that program, upwards of \$100 million

19 allocated towards land banks so we can form

20 our multiyear plan and continue our work

21 around everything we do, from reclaiming

22 vacant properties from acquisitions, building

23 stabilizations, new construction of

24 affordable housing, vacant lot cleanups,

1 assemblage of sites, demolitions of abandoned
2 structures.

3 It's all in the testimony I submitted.

4 Many of you are now familiar with land banks,

5 which is a great sign. But we need the

6 funding to continue the work we're going to

7 do or the burden is going to slide back onto

8 local governments and taxpayers, which as you

9 heard is already a challenge for a lot of

10 communities. And so we don't want to slide

11 and undo the work we've done.

12 Thank you for listening, and thank you

13 for your continued partnership.

14 CHAIRWOMAN KRUEGER: Thank you.

15 And Camille?

16 MS. MACKLER: Good evening, Senators

17 and Assemblymembers. Thank you so much for

18 the opportunity and for sticking it out with

19 us till the end.

20 My name's Camille Mackler. I'm the

21 executive director of Immigrant ARC. We're a

22 relatively new organization spun out of the

23 New York Immigration Coalition just in the

24 last two years. We're a coalition of over

1 80 organizations and professional
2 associations that provide legal services to
3 immigrants here in New York and throughout
4 the state.

5 And I'm here tonight because we are
6 asking that New York State increase its
7 funding for legal services to immigrants --
8 this is like the immigration legal
9 services -- to \$15.3 million from the
10 existing \$10 million that it's been at since
11 about 2017. And we're also asking for an
12 additional \$3 million to be allocated from
13 economic development funds for our Afghan
14 refugees who are arriving in the state since

15 last summer.

16 New York State has led the country in

17 investments for legal services -- many thanks

18 to many of you who are here tonight -- and we

19 want to continue that leadership. The

20 reality is that the continuing policies of

21 the last many years and the delays and

22 problems caused by the pandemic mean that

23 most of our providers are still having

24 maximum caseloads. Many of them cannot take

1 on new cases as the need continues to grow.

2 Immigrants, as you all know, have been

3 at the forefront of the pandemic response and

4 are a real economic engine for our state.

5 There is no guaranteed right to

6 counsel in immigration, even for somebody who

7 is detained or even for somebody who faces

8 potential permanent exile from the

9 United States. There is a right to a

10 competent attorney at no expense to the

11 government only if somebody is facing

12 deportation, but we know that sometimes

13 providing an attorney to apply for

14 immigration status, as someone may be

15 eligible under current laws, means that they
16 will end up in deportation proceedings in the
17 first place. And so both types of funding
18 are critical.

19 We know from studies that have been
20 done that detained immigrants are four times
21 more likely to be released from detention,
22 11 times more likely to actually apply for an
23 immigration benefit and to defend themselves
24 from deportation charges. Twenty-two percent

1 of detained immigrants and 16 percent of
2 never-detained immigrants will successfully
3 defend their cases if they are able to be
4 represented by counsel.

5 I also want to briefly touch on the
6 Afghan refugees who are coming to our state.
7 New York State expects over a thousand
8 families mainly in upstate New York. They've
9 been -- refugees have been an incredible
10 economic driver for upstate New York for a
11 very long time, and the rest of our state.
12 Because of the chaotic nature of the
13 evacuation, these individuals are actually in
14 very precarious legal positions and don't

15 have permanent ability to stay. And these
16 are not legal needs that refugee resettlement
17 agencies, who are doing yeomen's work working
18 with these communities, can handle. These
19 are very specific complex cases.

20 And so we see this as an economic
21 investment and ask for an additional
22 \$3 million from economic funds to provide
23 legal representation to this very specific
24 population.

1 Thank you.

2 CHAIRWOMAN KRUEGER: I'm sorry, I was

3 on mute.

4 I was saying Assemblymember Steve

5 Otis.

6 ASSEMBLYMAN OTIS: Thank you.

7 Camille, thank you for that

8 presentation. And I don't have a question

9 for you, but I'd say I've been to a number of

10 meetings -- and you glossed over it a little,

11 but the statistic of outcome difference

12 whether someone has an attorney or does not

13 have an attorney is mind-boggling.

14 And so the Legislature has gotten

15 money to some of the groups around the state

16 that provided these services in the past, and

17 hopefully we can do more this year. But it

18 is just shocking that differential. And it

19 just shows you that if people had an

20 attorney, their rights would be vindicated.

21 So thank you for your good work.

22 Adam, question for you. So the

23 settlement funds are out. And I'm wondering

24 whether there are either some other kinds of

1 litigation settlement fund kind of animal
2 that's out there that maybe we could be
3 tapping into that already exists, or are
4 there federal funds in the infrastructure
5 bill or the Rescue bill that we should be
6 looking into as a way of New York State
7 applying for money and then directing it
8 towards the important work that you're doing?

9 MR. ZARANKO: Yeah, thank you for your
10 question.

11 So we're not aware of any other
12 settlement funds. But unfortunately we've
13 learned that banks around real estate and
14 mortgages, zombie properties, sometimes do

15 repeat some of their actions that harm
16 communities. But we don't budget off of
17 that.

18 On the state side and the local side,
19 we're very aggressively pursuing ARPA funds,
20 which if you look at the final Treasury
21 guidance, there's been very clear guidance
22 issued thanks to some of our national
23 partners that help land banks, that support
24 the work that land banks do. And it's

1 delineated, some of that's in the testimony I
2 submitted.

3 So that is a source of funding that we
4 think we can get into neighborhoods very
5 quickly, especially partnering with the
6 state, because we have the infrastructure to
7 get into the communities and apply the funds
8 in eligible ways.

9 On the federal side, we've been
10 working with Senators Gillibrand and Schumer,
11 and land banks are partnering with other
12 states and their Senators. The housing, the
13 second part of the Build Back Better Act with
14 the housing, the one with the childcare in it

15 and the housing, there's a special -- last I
16 heard, there's around \$3 billion that would
17 be eligible directly to be received by
18 entities like land banks, like land trusts,
19 the on-the-ground community development
20 groups, where we're not competing against
21 municipalities and towns, villages and cities
22 and other entities for that money.

23 But that bill hasn't been passed yet,
24 obviously. We're hoping very much that it

1 will be.

2 So those are the funding sources that

3 we're aware of, aside from state funds,

4 budget funds.

5 ASSEMBLYMAN OTIS: Well, I'd say if

6 there's state agencies that should be

7 applying for federal funds that deal with

8 this issue, to get that to our Ways and Means

9 and Finance staff people so that we can try

10 and connect the dots for you.

11 MR. ZARANKO: Okay.

12 ASSEMBLYMAN OTIS: So thank you for

13 the testimony.

14 MR. ZARANKO: Thank you.

15 CHAIRWOMAN KRUEGER: Thank you.

16 And I think our last hand for the

17 evening is Assemblymember Jacobson.

18 ASSEMBLYMAN JACOBSON: Thank you.

19 I just want to comment about the land

20 banks. We have been very successful in the

21 City of Newburgh with our land bank.

22 Poughkeepsie now -- which I also represent --

23 is implementing it.

24 The problem -- and why it's great for

1 small cities is that most places the cities
2 have to pay the school taxes after they take
3 back the property. So that can be a big
4 drain on the local city.

5 The problem in Newburgh now is all the
6 easy properties or relatively easy properties
7 have been bought. Now you have some that are
8 really bad. And so that you get a case of
9 diminishing returns.

10 So I think something has to be worked
11 out on that, so I'll let you try to figure it
12 out, sometime after this hearing, on what we
13 can do on that so that it makes sense. It's
14 not always as great as it sounds, but it was

15 very helpful in those situations. But once

16 the little boomlet is over, then you're still

17 left with these properties. And so there's

18 still zombies, but they're zombies on the

19 land bank's watch.

20 So that's it. We've been here a long

21 time. Thank you. Thank you, Madam Chair,

22 and everybody else for hanging in there. And

23 also to both Madam Chairs, I should say.

24 CHAIRWOMAN KRUEGER: That's okay.

1 I'll tell the other Madam Chair who had to
2 leave.

3 ASSEMBLYMAN OTIS: I'm sure I'll see
4 her tomorrow on one of them, anyway.

5 CHAIRWOMAN KRUEGER: No. As I close
6 down this hearing I am going to actually,
7 first off, thank very much the last two
8 testifiers for being with us this evening and
9 for staying so late to testify. I'm going to
10 thank all my colleagues who are still with
11 us.

12 I'm officially going to close down the
13 hearing on local governments for 2022, remind
14 you we're not having a budget hearing

15 tomorrow -- don't show up, Jonathan -- but we

16 will be having our next budget hearing on

17 Monday, starting at 11:00 in the morning, and

18 that will be on mental health and

19 OPWDD-related issues.

20 So again, thank you all to my

21 colleagues, thank you all to the staff of the

22 Assembly and the Senate who also are all

23 behind the scenes making sure somehow we get

24 through each of these days.

1 Have a good night. Sleep well.

2 (Whereupon, the budget hearing

3 concluded at 7:58 p.m.)

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