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New York State Senate | 28th District



December 2015

## Message from Liz...

The conviction of Shelly Silver by a jury of his peers is a wakeup call for everyone in Albany that what some legislators and lobbyists think of as “business as usual” is actually illegal. The trials of former Assembly Speaker Silver and former Senate Majority Leader Dean Skelos should be seen as indictments of how the “three men in a room” have been doing business.

In the Silver trial, the defense argued that what the former Speaker did was just the way Albany worked, and unfortunately there is a great deal of truth to that. But what the jury made clear was that these practices may be typical of Albany, but that does not make them legal.

I hope this case will not be the last that forces bad actors out of Albany. Albany will be a better place when everyone with self-serving agendas -- versus the public's good -- is either removed through corruption trials like this, loses at the ballot box because the voters say enough is enough, or recognizes it's in their best interest to retire and get out of Dodge. I will be happy with any or all of the above to complete the task.

There are those who say nothing more can be done other than to throw the bums out, and that you can't legislate morality. That may be true, but to paraphrase Martin Luther King Jr., you can definitely regulate behavior. And although the courts are making headway in tackling illegal corruption, there remains a system of legalized corruption in Albany that the courts are powerless to address. That is why we must act to institute stronger, more explicit ethics laws, to make it clear that buying legislators is just as unacceptable as being bought.

We know what we have to do – the solutions are no more mysterious than the corruption itself. First, we must close the so-called LLC loophole that effectively allows candidates to take unlimited campaign donations from individuals or companies that set up multiple LLCs. I am currently party to a lawsuit, along with the Brennan Center for Justice, intended to force the State Board of Elections to close the LLC loophole for good; and my colleague, Sen. Daniel Squadron, carries legislation that would do the same.

In addition, we must implement common-sense restrictions on legislators' outside income, so that outside interests cannot buy the support of elected officials by hiring them. Sen. Brad Hoylman is the

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prime sponsor of a bill to do just that, restricting the type and nature of outside income to reflect the US Congress' cap of 15% of gross legislative salary.

And finally, we must reform our campaign finance system by lowering contribution limits, capping “soft money” contributions, requiring greater disclosure and transparency, banning contributions from companies doing business with the state, and establishing a public financing system with low-donor matching funds.

These reforms will also help address the other side to the corruption scandals in Albany that has been highlighted by the Silver and Skelos cases – those outside interests who play ball with these same corrupt politicians in order to get what they want out of Albany, whether that be special tax breaks, developer-friendly housing laws, or direct financial assistance from the State. I recently published an op-ed in the Albany Times-Union that explores how we also need to be looking at how changes in law can decrease opportunities for improper influence on elected officials. You can read it at <http://www.nysenate.gov/newsroom/in-the-news/liz-krueger/albany-times-union-op-ed-state-citizens-deserve-end-new-yorks>.

## **POLICY SPOTLIGHT**

### *Clean Energy*

In October, Governor Cuomo stood alongside former Vice President Al Gore and reiterated his commitment to reducing New York's carbon emissions 40 percent by 2030, and the administration has since signaled a willingness to mandate up to a fifty percent reduction in emissions. These are laudable goals. Unfortunately, they will remain out of reach as long as the state continues to send the wrong market signals by requiring New Yorkers to underwrite dirty and uneconomical coal plants through higher electricity bills.

As world leaders meet for global climate negotiations in Paris, now is the time for the Governor to make an enforceable commitment to phasing out coal-fired power by the end of the decade and ensuring a just transition for workers and communities dependent on coal.

New York's four remaining coal-fired power plants – Cayuga, Dunkirk, Huntley and Somerset – contribute 13 percent of New York's electricity sector carbon pollution. They no longer make a profit, yet the state has been keeping them operational at a cost of hundreds of millions of dollars.

The Dunkirk plant has received \$90 million to continue operating through the end of 2015, and the Cuomo administration approved up to another \$200 million over the next ten years; the Cayuga plant is receiving \$155 million to continue operating through 2017, and has recently asked for an additional \$145 million. These costs are paid by local electricity customers, with plant owners pocketing the profits. Yet according to the utilities National Grid and NYSEG, transmission upgrades, many of which will be needed regardless of whether the coal plants remain operational, could address reliability issues at significantly lower cost when the plants close.

Taking these plants off-line will get us one third of the way to the state's carbon reduction goal while safeguarding the thousands of New Yorkers threatened by dangerous coal-fired pollution. But the

state is currently sending market signals that directly contradict the Governor's emission reduction and renewable energy goals.

Coal plant owners are coming to expect that they can rely on New York's energy customers to keep their outdated and unnecessary plants on life support, a fact made clear by the recent request from Beowulf Energy to purchase Cayuga and Somerset. Time after time our government has required New Yorkers to foot the bill for dirty energy rather than investing in transmission upgrades that could get ahead of the curve on local reliability issues at a fraction of the cost.

New Yorkers are ready to pitch in to help transition away from coal. There is strong public and political support for a responsible transition plan for coal-reliant communities - one that would require only a small portion of the money currently being spent. Earlier this year I joined over one-third of New York's legislature in signing a letter, authored by Assembly Member Barbara Lifton, urging Governor Cuomo to end coal subsidies and create a thoughtful statewide transition plan. And late last month I rallied with elected and other allies, including the Sierra Club, to push for a smart, responsible path forward.

We are nearing a tipping point when it comes to the damage we're doing to our climate. As we move to implement the agreements that I hope will be reached at the United Nations Conference on Climate Change in Paris, New York is poised to be an international leader in the fight against climate disruption. If we stop clinging to policies that keep our energy sector stuck in the past, the Empire State has the potential to lead the world in the bold transition to a clean energy economy. Governor Cuomo could lead us there by speeding up his commitment to phase out coal-fired power and taking a key step toward ensuring carbon pollution becomes a thing of the past.

## COMMUNITY SPOTLIGHT

### **Update on Efforts to Fight the Proposed Marine Transfer Station (MTS):**

In the wake of the decision by New York State Department of Environmental Conservation (DEC) to renew permits for the E 91st Street Marine Transfer Station I joined my elected colleagues in reiterating our concerns that legitimate health and safety issues are being ignored. Despite receiving more than 22,000 public comment letters detailing the shifting conditions of the area in which the facility is located, DEC claims that there were no material changes in circumstances since the NYSDEC issued permits over six years ago.

Of particular concern is the Marine Transfer Station's location in what FEMA calls an "area subject to inundation" in terms of potential flooding. Despite this classification, the New York City Department of Sanitation insists on building a solid waste facility in an area prone to flooding, no matter the cost or danger to City residents. In addition to flooding concerns, this facility also poses a great threat to air quality in an already asthma-plagued community. The fine particular matter (PM 2.5) emitted by the garbage trucks entering and exiting the site will be especially harmful to those in the surrounding community, specifically to the neighboring children and patients visiting the growing network of nearby hospitals. We therefore requested that the NYSDEC reevaluate its decision to renew these permits.

## **Time to Sign up for Health Care for 2016: New Options Available with the Essential Health Plan**

New York's Marketplace, NY State of Health, is a way for individuals, families, and small businesses to find quality health insurance. It can help if you don't have coverage now or if you have insurance, but want to look at other options, under certain conditions. (Note: the Marketplace is not for people who have Medicare).

**Need Financial Help?** Financial aid to buy insurance is available for individuals who earn up to \$47,080 a year, or \$97,000 a year for a family of 4.

**New Options are Available in 2016!** This year, you may qualify for an even more affordable option. The **Essential Health Plan** is a new plan for New Yorkers and it covers the essential health benefits. Preventive care such as routine doctor exams and screenings are free. There is no deductible. Eligible consumers will pay either a \$20 monthly premium or nothing, depending on income. Some plans include additional benefits such as adult dental and vision coverage for an additional premium. Individuals can make up to \$23,540 a year, or \$48,500 a year for a family of 4. You may apply at any time of year for this plan.

**How Do I Apply?** You may apply online at <https://nystateofhealth.ny.gov>, by mail, or by calling the Marketplace at [1-855-355-5777](tel:1-855-355-5777).

**Need Free Help Applying?** Lenox Hill Neighborhood House has a certified application counselor who can help you understand your options and enroll in a plan. Call to make an appointment: [212-218-0403](tel:212-218-0403), (331 E. 70th Street). For a complete list of counselors who can meet with you, contact the Marketplace.

**When Do I Apply?** Apply by December 15, 2015 for coverage effective January 1, 2016. Open enrollment for 2016 ends on **January 31, 2016**. After that time, you may only apply if you experience a qualifying event, such as loss of your current coverage, job loss, marriage or divorce, or other event. (Note: You may apply for Medicaid or the Essential Health Plan at any time).

### *Remember:*

- **Free and low-cost options are available**, including Medicaid and financial aid.
- All plans provide essential care, including doctor visits, emergency care, and prescription drugs.
- You cannot be denied coverage for a pre-existing condition.

### **Red Tape Commission Hearing for Business Owners and Entrepreneurs:**

On Thursday, December 10, 2015 New York City Comptroller Scott M. Stringer is hosting a Red Tape Commission Manhattan Hearing for Business Owners and Entrepreneurs. The Comptroller's Red Tape Commission is composed of small business leaders, regulatory experts and advocates from around the City. Come share your stories - your experiences and ideas will help inform solutions that will make government a partner in entrepreneurship.

The commission wants to hear from business owners in every industry: Local & Artisanal Manufacturing, Tech, Not-for-Profit, Retail, Hospitality, Professional & Consumer Services and so many more.

The hearing will take place from 8:30 am - 10:00 am at Civic Hall, 156 5th Avenue  
2nd Floor.

If submitting written testimony or comments, please send via email to [redtape@comptroller.nyc.gov](mailto:redtape@comptroller.nyc.gov).  
To RSVP: Call 212-669-7746 or email [redtape@comptroller.nyc.gov](mailto:redtape@comptroller.nyc.gov).

**Rent Controlled Tenants Rally at Maximum Base Rent (MBR) Hearing:**

The Maximum Base Rent (MBR) hearing to determine next year's rent increase for rent controlled tenants was rescheduled for Thursday December 17th and will be held at the 25 Beaver Street, Room 510. The morning session will run from 10:00 a.m. to 12:30 p.m. and the afternoon session from 2:00 to 4:00 p.m. Tenants and Neighbors is holding a rally outside of the hearing starting at 9 a.m.. Come and join them in telling New York State Homes and Community Renewal that a 7.5% rent increase is way too much! RSVP to Delsenia Glover at [DGlover@tandn.org](mailto:DGlover@tandn.org) or 212-608-4320 ext. 308.

**Community Education Council District 2 Discussion of Academic Tracking:**

On Tuesday, January 12, 2016 at 6:30 p.m., Community Education Council, District 2 will be hosting a forum on academic tracking at PS 59 (233 E 56th Street), featuring education expert Carol Burris. Dr. Burris became Executive Director of the Network for Public Education Foundation in August 2015, after serving as principal of South Side High School in the Rockville Centre School District in NY since 2000. Her publications include *Detracking for Excellence and Equity* (2008) and *On the Same Track: How Schools Can Join the 21st Century Struggle against Re-segregation* (2014). She regularly expresses her concerns about the misuse and unintended consequences of high-stakes testing on the Washington Post, The Answer Sheet blog.

The forum will be followed by CECD2's January Calendar and Working Business meetings. Agendas will be circulated before the meeting. Babysitting and light refreshments will be provided. For more information please contact Linda Lumpkin at [LLumpkin@schools.nyc.gov](mailto:LLumpkin@schools.nyc.gov) or 212.356.3915 or [www.cecd2.net](http://www.cecd2.net).

**Upcoming Pet Adoption Events:**

Animal Care Centers of NYC (ACC) is sponsoring several Pet Adoption events around my Senate district in December. Upcoming dates and locations are:

Saturday, December 12, 11am-3pm:

ACC Dog Adoptions at Biscuits & Bath, Sutton Place, 1064 1st Ave.

Sunday, December 13, 12-4pm:

ACC's Mobile Adoption Center at VCA Manhattan Veterinary Group, 240 E. 80th Street

Sunday, December 20, 12-4pm:

ACC's Mobile Adoption Center at Petco, Union Square, 860 Broadway

Upcoming events are also listed at <http://nycacc.org/Events.htm>.

**Citizens Committee for NYC Neighborhood Grants Program:**

Have a great idea for a community improvement project? The Citizens Committee for NYC awards grants of up to \$3,000 to grassroots groups working on community-building projects. Recent awards have enabled neighbors to come together to make healthy food available in their communities,

transform empty lots into community gardens, organize tenants to advocate for better housing conditions, and start school recycling drives. The application deadline is January 25, 2016. To apply or for more information, visit <http://www.citizensnyc.org/grants/neighborhood-grants>.

### **Legal Advocacy Clinics At Lenox Hill Neighborhood House:**

The Lenox Hill Neighborhood House Legal Advocacy Center Offers assistance on a number of different issues. Here is a list of their ongoing programs and clinics:

- **SNAP (formerly Food Stamps) Clinics:** Wednesdays from 10am to 1pm at Lenox Hill Neighborhood House, 331 East 70th Street. First come, first served. Bring proof of identity, income information, utility bill, proof of housing costs, information on any dependents and if you are 60 or over or on SSI/SSD, information on medical costs. For more information, call 212-218-0431.
- **SCRIE Clinics:** call 212-218-0503 ext. 6 for assistance in applying or recertifying for the Senior Citizens Rent Increase Exemption (SCRIE) program. The SCRIE clinic is open to tenants city-wide. *Please note that due to the volume of calls, it sometimes takes up to two weeks for staff to respond to messages.*
- **Eviction Prevention:** Walk-in clinic, every third Monday of the month, from 10am to 1pm at 331 East 70th Street, for tenants who live, work, or go to school on Manhattan's East Side above 59th Street and on Roosevelt Island.
- **Advance Directives:** volunteer attorneys may be able to assist you with one-on-one counseling and individualized drafting of Advance Directives including Health Care Proxies, Living Wills, Powers of Attorney, and simple, low-asset Wills. If you are interested in being screened for a possible appointment, call the intake hotline at 212-218-0503 ext 4.
- **Health Care Access/Medicare/Medicaid:** call 212-218-0503 ext 3. Find out about Medicare Savings Programs, Medicaid home care, Medicare Part D, Medicaid Spend-down, EPIC and if you are eligible for Medicaid.

### **And, just across the Park on the Westside: Monthly Housing Clinics and Workshops:**

Council Member Helen Rosenthal, Goddard Riverside's SRO Law Project, and the Urban Justice Center co-sponsor monthly housing clinics and workshops at the Goddard Riverside Community Center, 593 Columbus Avenue (between 88th and 89th Streets). On the first Wednesday of each month, from 6pm – 8pm, the clinic offers a presentation on a variety of topics, followed by a question and answer session. Each evening, at least one staff attorney will meet with individuals who are seeking specific legal advice.

For questions, contact the Office of Council Member Rosenthal at (212) 873-0282 ext. 206 or [Helen@helenrosenthal.com](mailto:Helen@helenrosenthal.com). Sign-up sheet starting at 6pm each evening.

**January 6, 2016:** Non-primary residence

**February 3, 2016:** Harassment & City-Wide Housing Related Campaigns

**March 2, 2016:** DHCR Overview, including MCIs and IAls, Preferential Rent, Reduction in Services

**April 6, 2016:** Housing Court 101

**May 4, 2016:** SCRIE and DRIE

**June 1, 2016:** Succession Rights

### **Affordable Housing Opportunities in Manhattan:**

**Randolph Houses** is now accepting applications for 20 affordable studio and 1-bedroom apartments newly constructed at 202-246 West 114th Street in Central Harlem neighborhood in Manhattan. Rents for these apartments range from \$788 to \$847 depending on unit size. To be eligible,

applicants must have incomes between \$28,389 and \$41,460, depending on unit and family size. Preference will be given to Community Board 10 residents for 50% of units, NYCHA residents for 20% of units, mobility-impaired persons for 5% of units, visual- and/or hearing-impaired persons for 2% of units, and City of New York municipal employees for 5% of units. A full description of the building and application process is available at <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/201.pdf>.

Households may elect to submit an application by one of two methods: EITHER online OR by mail. To submit your application online now, please visit NYC Housing Connect at [www.nyc.gov/housingconnect](http://www.nyc.gov/housingconnect) and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to: Wavecrest Management Team, LTD., c/o Randolph Houses, 87-14 116th Street, Richmond Hill, New York 11418. Completed applications must be submitted online or returned by regular mail only to the post office box that will be listed on the application. Applications must be submitted online or postmarked by December 11, 2015. *Applicants who submit more than one application may be disqualified.*

**Bridge Land West LLC** is now accepting applications for 22 affordable studio, 1-, and 2-bedroom apartments newly constructed at 456 Washington Street in the Tribeca neighborhood in Manhattan. Rents for these apartments range from \$800 to \$1041 depending on unit size. To be eligible, applicants must have incomes between \$28,800 and \$51,780, depending on unit and family size. Preference will be given to Community Board 1 residents for 50% of units, mobility-impaired persons for 5% of units, visual- and/or hearing-impaired persons for 2% of units, and City of New York municipal employees for 5% of units. A full description of the building and application process is available at <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/202.pdf>.

Households may elect to submit an application by one of two methods: EITHER online OR by mail. To submit your application online now, please visit NYC Housing Connect at [www.nyc.gov/housingconnect](http://www.nyc.gov/housingconnect) and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to: Bridge Land West LLC, 1357 Broadway, Box 438, New York, NY 10018.

Completed applications must be submitted online or returned by regular mail only to the post office box that will be listed on the application. Applications must be submitted online or postmarked by December 14, 2015. *Applicants who submit more than one application may be disqualified.*

**92<sup>nd</sup> and 3<sup>rd</sup> Associates LLC** is now accepting applications for 47 affordable 1- and 2-bedroom apartments newly constructed at 205 East 92nd Street in the Yorkville neighborhood in Manhattan. Rents for these apartments range from \$607 to \$930 depending on income and unit size. To be eligible, applicants must have incomes between \$22,218 and \$43,150, depending on unit and family size. Preference will be given to Community Board 8 residents for 50% of units, mobility-impaired persons for 5% of units, visual- and/or hearing-impaired persons for 2% of units, and City of New York municipal employees for 5% of units. A full description of the building and application process is available at <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/208.pdf>.

Households may elect to submit an application by one of two methods: EITHER online OR by mail. To submit your application online now, please visit NYC Housing Connect at [www.nyc.gov/housingconnect](http://www.nyc.gov/housingconnect) and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to: 92nd & 3rd Associates LLC, 1357 Broadway, Box 438, New York, NY 10018.

Completed applications must be submitted online or returned by regular mail only to the post office box that will be listed on the application. Applications must be submitted online or postmarked by February 1, 2016. *Applicants who submit more than one application may be disqualified.*

**Metrocard Bus and Van Schedule:**

The MTA offers MetroCard-related services throughout New York City through mobile buses and vans. Buses provide a full range of services, including applying for or refilling a Reduced-Fare MetroCard, buying or refilling a regular MetroCard, or getting answers to a MetroCard-related question. Vans sell Unlimited Ride MetroCards and Pay-Per-Ride MetroCards, and they refill MetroCards and Reduced-Fare MetroCards. Buses and vans will be in my district on the following dates and locations:

December 8, 10:30 am, 92 Street & Lexington Avenue – Bus  
December 8, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus  
December 8, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus  
December 16, 9 - 10:30 am, 79 Street & 3 Avenue – Bus  
December 16, 11 am - 1 pm, 79 Street & York Avenue – Bus  
December 16, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus  
December 17, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van  
December 17, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van  
December 22, 10:30 am, 92 Street & Lexington Avenue – Bus  
December 22, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus  
December 22, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus  
January 6, 9 - 10:30 am, 79 Street & 3 Avenue – Bus  
January 6, 11 am - 1 pm, 79 Street & York Avenue – Bus  
January 6, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus  
January 7, 7 – 9 am, 90 Street and York Avenue - Van  
January 7, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van  
January 7, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van

The full mobile MetroCard schedule is available at <http://mta.info/metrocard/mms.htm>. Please note that MetroCard buses and vans do not take credit cards.

**Heat Season Rules:**

The City Housing Maintenance Code and State Multiple Dwelling Law require building owners to provide heat and hot water to all tenants. Building owners are required to provide hot water 365 days a year at a constant minimum temperature of 120 degrees Fahrenheit.

Between October 1st and May 31st, a period designated as “Heat Season,” building owners are also required to provide tenants with heat under the following conditions:

- Between the hours of 6AM and 10PM, if the outside temperature falls below 55 degrees, the inside temperature is required to be at least 68 degrees Fahrenheit.
- Between the hours of 10PM and 6AM, if the temperature outside falls below 40 degrees, the inside temperature is required to be at least 55 degrees Fahrenheit.

Tenants who are cold in their apartments should first attempt to notify the building owner, managing agent or superintendent. If heat is not restored, the tenant should call the City’s Citizen Service Center at 311. For the hearing-impaired, the TTY number is (212) 504-4115. The Center is open 24

hours a day, seven days a week. Complaints can also be submitted online at <http://www1.nyc.gov/nyc-resources/service/1813/heat-or-hot-water-complaint>

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District Office: 1850 Second Avenue | New York, NY 10128 | (212) 490-9535 | Fax: (212) 490-2151  
Albany Office: Legislative Office Building, Room 905 | Albany, NY 12247 | (518) 455-2297 | Fax: (518) 426-6874  
Email: [liz@lizkrueger.com](mailto:liz@lizkrueger.com) | On the Web: <http://krueger.nysenate.gov>