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New York State Senate | 28th District



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Last week our country experienced a series of trying events: the killings by police of two more black men, Alton Sterling in Louisiana and Philando Castile in Minnesota, and the fatal attack on police officers in Texas. These terrible acts occur at the intersection of many challenging issues, including persistent racism, mass incarceration, gun violence, and criminal justice reform.

In response to such violence it is important to heed calls for unity and solidarity. But at the same time we must also seize this moment to move our society toward greater justice and inclusiveness. In the coming months and years there will be many false starts and imperfect responses, but it is up to all of us to search for and work toward solutions. I will continue to explore what actions can be taken at the state level to address these issues, and I encourage you to continue to share your thoughts with me and your other elected representatives.

Message from Liz...

This year's legislative session ended with a whimper. As usual, over the final days we passed legislation late into the night, culminating in one final bill that contained all the things -- good, bad and ugly -- that we needed to close out before adjourning. Usually this bill is referred to as the "big ugly" because of all the unrelated topics thrown in, but this year folks have come up with a variety of other names. My preferred name is the "little ugh" as the bill didn't do much of anything to address the most important issues we should have been dealing with.

The obvious issue we did very little on is ethics reform.

There was a separate little ugh bill that purported to deal with ethics, but it did not include most of the substantive reforms that we should have been making. It did include a pension forfeiture constitutional amendment, which is certainly a good thing – for years I have carried legislation that would require pension forfeiture for those convicted of felonies related to their official duties. But pension forfeiture is more about retribution than prevention of unethical behavior. And the final ethics bill evades the major reforms to our campaign finance and ethics laws needed to address the broader pay-to-play culture in Albany, a culture that did not end with the convictions of Dean Skelos and Sheldon Silver.

So what should we have done? First, we should have closed 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. Governor Cuomo has said he supports such a change and claimed in a May press release that he had "introduced 8 bills" to close the LLC loophole for different combinations of offices, but those bills were never actually introduced in

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either house of the legislature. Nor was language from Daniel Squadron's bill included in the final ethics little ough.

Second, we should have implemented common-sense restrictions on legislators' outside income, so that outside interests cannot buy the support of elected officials by hiring them. Many of the legislative scandals in recent years, including the Silver conviction, involved conflicts of interest around outside income. Sen. Brad Hoylman is the prime sponsor of a bill to restrict the type and nature of outside income to reflect the US Congress' cap of 15% of gross legislative salary. Governor Cuomo also called for limiting income in his original budget proposal, but that didn't make the final cut during the budget process, or in the ethics little ough.

Finally, we should have reformed 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. Again the Governor proposed such a system in his original budget proposal, but did not push for it in the final budget deal or the end of session ethics package.

There are a few other things in the little ough that demonstrate why late-night, last-minute bills are such a bad idea:

- a one year renewal of mayoral control that doesn't address the concerns of either supporters or opponents of the current system;
- changes to charter school oversight that appear aimed at allowing SUNY to override existing charter school regulations around issues such as teacher certification and requirements to serve English Language Learners and students with disabilities, though fortunately drafting issues with that language may undermine its effectiveness;
- authorization for the Dormitory Authority of the State of New York to ignore New York City building and fire codes and use weaker state codes for the Javits Center renovation project.

It wasn't all bad – there were provisions in the final bills to provide capital funding to SUNY and CUNY and new requirements on banks to maintain foreclosed properties, but nothing that justifies the celebratory comments that some have made about Albany accomplishments. In the end, I can't really say it better than *The New York Times* post-session editorial:

"After a lackluster legislative season, Gov. Andrew Cuomo declared on Sunday that he and state lawmakers had managed to finish 'probably the most successful session in modern history.' That is not only wrong, but ridiculous."

POLICY SPOTLIGHT

Protecting Abortion Rights

I was extremely relieved and gratified by the U.S. Supreme Court's decision on women's reproductive rights in America, one that will have an impact on women in every state, including here in New York.

In a 5-3 ruling, the court acted to ensure that the freedom of individuals to make their own reproductive decisions, recognized in *Roe vs. Wade*, is protected for future generations of women

and girls. The case, *Whole Woman's Health vs. Hellerstedt*, was about a Texas law called HB2. Passed in 2013, the law placed onerous restrictions on doctors who provide abortions, including a requirement that they obtain admitting privileges at a nearby hospital and that their facility meets the stringent specifications of ambulatory surgical centers. These rules applied only to women's health care providers and not to other practices that provide equally safe procedures.

The authors of the bill argued that it was designed to protect women but the court correctly ruled that the new requirements provided no protections to women's health while imposing a undue burden on women trying to access abortion services. Since HB2 passed, the number of locations providing abortions in Texas has been cut in half, and if the law was allowed to take full effect, there would have been only about 10 providers in the entire state, serving 5.4 million women of reproductive age, some of whom would have to travel hundreds of miles for care. Unsurprisingly, it is low-income women and women of color — those who often lack the means to overcome additional costs and challenges — who are most negatively affected.

The court's decision will resonate far beyond Texas. Several other states have similar laws designed to shut the doors of clinics on thousands of women who rely on them for care. These laws will now face greater scrutiny. A Florida judge has already referenced *Whole Woman's Health* in an injunction issued against a restrictive law in that state, and laws in Arizona, Michigan, Missouri, Pennsylvania, Tennessee, and Virginia are also likely to face similar challenges.

The truth is, if lawmakers were really concerned about the safety of women seeking an abortion, they would ensure every woman had access to high quality, safe, legal care. But it's no secret that the real motivation behind these laws has nothing to do with the well-being of patients. Several supporters have stated openly that the goal of these laws is not to make abortion safer (it's already one of the safest medical procedures), but to make it more difficult.

What anti-choice extremists fail to acknowledge is that closing clinics doesn't end abortion, it just leads to abortions that are illegal and unsafe. Laws like HB2 force many women, particularly low-income women, into making an impossible choice between carrying an unintended pregnancy to term or seeking dangerous alternatives — and sometimes facing criminal charges when they do.

The decision to have an abortion is often complex, and deeply personal. It is one that women are capable of making on their own without interference from (mostly male) politicians. The Supreme Court's recent action is a major step forward in the battle to protect a woman's Constitutional right to make her own reproductive decisions.

Building Height Restrictions

I am happy to report that legislation (S5469/A7807) that would have removed floor area ratio (FAR) restrictions for residential buildings in New York City did not advance in either house at the end of session. FAR, a zoning tool regulating the bulk and density of buildings, is currently capped at 12. This bill would have worsened the problems of out-of-control overdevelopment in my district and many other parts of the city, while not effectively addressing our desperate need for affordable housing.

The reality is that the mega-towers that are already being built throughout Manhattan are the opposite of affordable, and nothing in this legislation would have changed that – all this bill would do is give the

City the ability to allow even larger residential towers for the ultra-rich. And when you increase FAR you also increase the value of land, making it even harder to build affordable housing.

Infrastructure in Manhattan is already strained to the limit. What communities in my district and throughout the city are calling for is neighborhood-based community planning that takes this reality into account. Rushing a bill through Albany in the last days of the legislative session that removes one of the few protections we have against overdevelopment has nothing to do with the kind of thoughtful planning we should be engaging in.

The advocacy and education offered by key community groups and preservation experts, including the Municipal Arts Society and Friends of the Upper East Side Historic Districts was critical in stopping this ill-advised legislation. I look forward to continuing to work with land use experts, my colleagues in the Legislature, and the Mayor's office, on neighborhood-based planning that meets our need for affordable housing while maintaining the health and well-being of our vibrant communities.

COMMUNITY SPOTLIGHT

Rent Guidelines Board Freezes Rent for 1-Year Rent Stabilized Leases:

I am pleased to report that late last month the NYC Rent Guidelines Board (RGB) announced a 0% increase on 1-year leases for rent stabilized apartments, and a 2% increase for 2-year leases. This is the second year in a row with no increase on 1-year leases. These guidelines apply to leases beginning between October 1, 2016 and September 30, 2017. I submitted testimony to the RGB calling for a rent freeze as an appropriate measure to help preserve affordable housing in New York City, given data showing that landlords' costs had not increased in the previous year. The RGB's 2016 Price Index of Operating Costs (PIOC) study found that the overall operating costs for rent stabilized buildings decreased 1.2% in 2015. This decrease in operating costs means that landlords are likely to see an increase in net operating income this year even without rent increases on lease renewals. The data clearly indicate that a rent freeze is economically justified and would not place an undue burden on building owners. My full testimony is available here:

https://www.nysenate.gov/sites/default/files/articles/attachments/rgb_testimony_2016_0.pdf

IDNYC Pop-Up Site at Webster Library through July 16:

From July 1st to 16th, IDNYC will be bringing a pop up enrollment site to the Upper East Side. The pop up site will be at Webster Library, located at 1465 York Avenue at East 78th Street. Hours are Tuesday through Thursday 11:00 a.m. to 6:00 p.m., and Friday and Saturday from 10:00 a.m. to 4:30 p.m. Many New York cultural institutions offer free memberships or other benefits to IDNYC holders. For a list of benefits or to make an appointment to get your IDNYC, visit www.nyc.gov/idnyc.

Upcoming Pet Adoption Events:

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

Saturday, June 16, 11-3PM:

Biscuits & Bath Sutton Place, 1064 1st Avenue at East 58th Street

Sunday, July 31, 12-4PM:

Petco Turtle Bay, 991 2nd Avenue at East 52nd Street

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

SNAP (Food Stamp) Eligibility Limit Increases:

This year's budget changed SNAP eligibility rules, so that as of July 1, 2016 New Yorkers with gross earned income of up to 150% of the Federal Poverty Level will be eligible for Supplemental Nutrition Assistance Program (SNAP) benefits. Single individuals with incomes up to \$17,820 are now eligible.

The amount of benefits you receive depends on household income from all sources, deductions of high medical or housing costs, and how many people live in your household. Find out if you are eligible for Food Stamps or other programs and learn how to apply using ACCESS NYC at <https://a069-access.nyc.gov/ACCESSNYC/application.do>, or attend a SNAP Clinic at Lenox Hill Neighborhood House – details are below.

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](tel:212-218-0431).
- SCRIE Clinics: call [212-218-0503 ext. 6](tel:212-218-0503) 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 2nd and 4th 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.
- End-of-Life Planning/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](tel:212-218-0503).
- Health Care Access/Medicare/Medicaid: call [212-218-0503 ext 3](tel:212-218-0503). Find out about Medicare Savings Programs, Medicaid home care, Medicare Part D, Medicaid Spend-down, EPIC and if you are eligible for Medicaid.
- Health Insurance Enrollment: call [212-218-0432](tel:212-218-0432). Assistance with finding and enrolling in an affordable health insurance plan.

VOLS Legal Clinics for Low-Income Residents Over Age 60:

The Volunteers of Legal Services (VOLS) Elderly Project provides pro-bono legal services to low-income people over age 60 who live in Manhattan. VOLS conducts legal clinics each month at senior centers where seniors can discuss their legal concerns in confidence, receive legal advice and, where appropriate, obtain referrals to a volunteer lawyer for representation. Areas of legal assistance include wills, medical directives, powers of attorney, housing, consumer matters and Medicaid. Over 150 lawyers serve on their Elderly Project volunteer attorney roster.

Upcoming Clinic dates and locations are below:

Burden Center for the Aging, 1484 First Avenue (between 77th & 78th Streets) — 2 pm — second Friday of each month (July 8, August 12). Call Velda Murad at 212-879-7400 for information.

Stanley Isaacs Senior Center, 415 East 93rd Street (east of 1st Avenue) — 10 am — third Friday of each month (July 15, August 19). Call Khristel Simmons at 212-360-7620 ext, 158 for information.

Encore Community Services Senior Center, St. Malachy's Church - 239 West 49th Street (between Broadway and 8th Avenue) — 10 am — fourth Monday of Each Month (July 25, August 22). Call Elvira Yanes at 212-581-2910, ext 123 for information.

NYPD Seeking Public Input on Body Cameras:

The NYPD is seeking input from the communities they serve on their body camera policy before they finalize the policy. The NYPD will be equipping 1,000 officers in 20 precincts throughout the city with body-worn cameras. In partnership with the Policing Project at NYU School of Law, the NYPD is seeking input from the people who live, work or go to school in New York City into the policy that will govern the use of these cameras through an online questionnaire.

The questionnaire can be completed in minutes, is mobile-friendly, and can be submitted anonymously. It is designed to get community input on important policy issues, including the types of events that should be recorded and who should be allowed to see the body camera footage. The questionnaire may be found at www.nypdbodycameras.org. This website contains a summary of the proposed policy, the full draft of the proposed policy, and the confidential questionnaire.

The site will remain open until July 31, 2016. NYU will collect the responses and comments and provide them to the NYPD for the NYPD's consideration in drafting the final policy.

Affordable Housing Opportunities in Manhattan:

70 Charlton is now accepting applications for 29 affordable studio and 1- and 2- bedroom apartments newly constructed at 70 Charlton Street in the West Soho neighborhood in Manhattan. Rents for these apartments are \$833 and \$1082, depending on unit size. To be eligible, applicants must have incomes between \$29,898 and \$54,360, depending on unit and family size. Preference will be given to Community Board 2 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/255.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 and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to 70 Charlton c/o Breaking Ground, PO Box 3620937, New York, NY 10129.

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 July 20, 2016. Applicants who submit more than one application may be disqualified.

KB 25 is now accepting applications for 55 affordable studio and 1- and 2- bedroom apartments newly constructed at 325 East 25th Street in the Murray Hill/Kip's Bay neighborhood in Manhattan. Rents for these apartments are \$1,715 and \$2,216, depending on income and unit size. To be

eligible, applicants must have incomes between \$60,138 and \$108,720, depending on unit and family size. Preference will be given to Community Board 6 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/259.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 and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to KB25, 243 5TH Avenue, Box 428, New York, NY 10016.

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 July 27, 2016. Applicants who submit more than one application may be disqualified.

133 Equities, LLC Phase 2 is now accepting applications for 36 affordable studio and 1-, 2- and 3-bedroom apartments newly renovated at 235 West 116th Street, 119, 123-125 and 132 West 133rd Street, and 63 West 137th Street in the Harlem neighborhood in Manhattan. Rents for these apartments are \$1,156 and \$3,309, depending on income and unit size. To be eligible, applicants must have incomes between \$41,143 and \$173,415, depending on unit and family size. Preference will be given to Community Board 10 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/260.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 and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to by mail, send a self-addressed envelope to 133 Equities, LLC, Phase II 316 West 118th Street, New York, NY 10026.

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 July 29, 2016. Applicants who submit more than one application may be disqualified.

7 West 21st Street is now accepting applications for 58 affordable studio and 1-, 2- and 3-bedroom apartments newly constructed at 7 West 21st Street in the Flatiron neighborhood in Manhattan. Rents for these apartments are \$913 and \$1,359, depending on unit size. To be eligible, applicants must have incomes between \$32,640 and \$63,060, depending on unit and family size. Preference will be given to Community Board 5 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/269.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 and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to 7WEST21, c/o Housing Partnership Development Corporation, 242 West 36th Street, 3rd Floor, 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 August 23, 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:

- July 12, 9 - 10:30 am, 92 Street & Lexington Avenue – Bus
- July 12, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
- July 12, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
- July 13, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
- July 13, 11 am - 1 pm, 79 Street & York Avenue – Bus
- July 13, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
- July 14, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
- July 14, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
- July 26, 9 - 10:30 am, 92 Street & Lexington Avenue – Bus
- July 26, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
- July 26, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
- August 3, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
- August 3, 11 am - 1 pm, 79 Street & York Avenue – Bus
- August 3, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
- August 4, 7 – 9 am, 90 Street and York Avenue - Van
- August 4, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
- August 4, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
- August 5, 9 - 10 am, 57 Street and 1 Avenue – Van
- August 5, 10:30 - 11:30 am, 57 Street and 3 Avenue – Van
- August 5, 12:30 - 2:30 pm, 68 Street and 1 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.