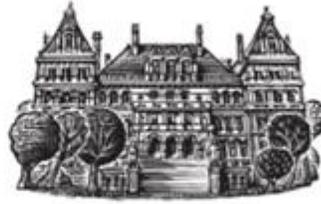


# Liz Krueger

New York State Senate | 28th District



November 2017

## Message from Liz...

October 30th was the fifth anniversary of Superstorm Sandy hitting New York City, and November 4th is the first anniversary of the Paris Climate Accord going into effect. These events should be linked in the minds of New Yorkers – the storm that made clear the increased risk of devastation caused by rising sea levels, and four years later an attempt by the nations of the world to join together to address that risk by dealing with the underlying cause – human-caused climate change. Although the federal government has announced its intention to withdraw from the Paris Accord, the good news for the world is that we would be joining only one other country (Syria) that is not a signatory. Furthermore, fifteen states including New York are now members of the U.S. Climate Alliance, which pledges to abide by the Paris Accord. In September, the Alliance indicated that it is on track to meet or surpass its portion of the Paris Accord’s targets of a 24% to 29% reduction in greenhouse gas emission rates from 2005 levels by 2025.

I am proud that Governor Cuomo and New York State have stepped up to the plate and recognized that in the absence of federal leadership we need to take responsibility at the state level. The state has been increasing investment in clean energy development, including wind and solar power. But if we are to continue doing our part as a state in addressing climate change, the legislature and Governor will need to act on a number of key measures in the coming session.

First, the legislature and Governor need to stop delaying implementation of the Diesel Emissions Reduction Act, as has happened in the last several state budgets. This act requires the state to use low-sulfur diesel for all diesel fuel vehicles, but it has never been implemented, despite the environmental and health risks associated with diesel fuel.

Next, the State Senate needs to pass the New York State Climate and Community Protection Act, which passed the Assembly both this year and last year. This bill (A.8270-A/S.6617-A) would establish climate and clean energy goals in state law and require state agencies to develop a climate action plan to achieve the goals. The bill sets standards to ensure equity for frontline communities and workers as the state transitions off of fossil fuels and towards 100% clean, renewable energy. The bill also requires all of

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New York State government to consider statewide emissions reductions and equity in permitting and funding decisions

Beyond legislation setting state standards, we can push the envelope in using the power of state resources to discourage continued reliance on polluting fossil fuels. That is why I have introduced legislation (A.3712/S.4596) that would require the State Comptroller to divest from fossil fuels by 2020. I have also introduced legislation (S.6881/A.8675) to increase scrutiny of tax breaks for the use of fossil fuels by requiring regular review of these subsidies to determine whether they serve the public good.

I was pleased that I received a score of 100 from Environmental Advocates in the most recent legislative session, and will be striving to do the same next year. It is more important now than ever that New York be at the cutting edge of efforts to address climate change.

## **POLICY SPOTLIGHT**

### *Casino Subsidies*

In 2013 voters approved a Constitutional Amendment to allow up to seven casinos in New York State “specifically for the legislated purposes of promoting job growth, increasing aid to schools, and permitting local governments to lower property taxes through revenues generated.” When the legislature had first considered this amendment, I raised numerous concerns regarding whether casino gambling was an appropriate economic development model and have voted against multiple casino bills that came before the Senate. Recent news reports seem to be bearing out my concerns. Three upstate casinos have earned about \$220 million less in total revenue than they projected when they won the bids for their gaming licenses in 2014. Even more concerning, several casinos applied to local Industrial Development Agencies for - and received - financial assistance. When voters passed the amendment, I expect they thought that the lower property taxes they were promised would be for homeowners and local businesses, not the casinos themselves.

I am deeply concerned that the oversaturation of the gambling market will result in more and more requests for state and local government assistance, and have therefore introduced legislation that would ban state subsidies for casinos. S.6919 prohibits casino gaming licensees from seeking state or local assistance - including tax incentive programs, PILOT payments, or other tax breaks - when calculating the amount of capital investment that must be made as part of the project. The bill also explicitly amends the Public Authorities law to prohibit the issuance of tax breaks or other financial incentives to companies authorized to construct class III gaming facilities by public benefit corporations or their subsidiaries.

Taxpayers should not be on the hook subsidizing casino construction or gambling operations through tax abatement requests. This bill would prohibit these requests in the future and make it explicit that companies should be fully capitalized and have the funds necessary when applying for a casino license. I am not a zealot against legal gambling – but forcing taxpayers to subsidize these activities or pretending gambling is a beacon of hope for economic development is a loser’s bet.

## COMMUNITY SPOTLIGHT

### **Roundtable for Boomers and Seniors Starts November 9th:**

The Roundtable for Boomers & Seniors provides an opportunity for constituents to come together to explore life issues that are relevant across the age span. At each session, attendees hear from and engage with professionals who are knowledgeable on topics that are of most concern to the growing population of older adults in New York City. Over the course of five sessions, the Roundtable looks at a specific issue from different perspectives each month. This year's series will focus on engagement. The first roundtable will take place Thursday, November 9th from 8:30 to 10:30 a.m. at Lenox Hill Neighborhood House, 331 East 70th Street, and the topic will be loneliness. To RSVP call (212) 490-9535 or email [lkrueger@nysenate.gov](mailto:lkrueger@nysenate.gov).

### **Reproductive Health Act Public Forum November 14th:**

On Tuesday, November 14th from 6:30 to 8:30 p.m, I am hosting an event on The Reproductive Health Act at the CUNY Graduate Center, Proshansky Auditorium, 365 Fifth Avenue at 34th Street. I will be joined by actress and advocate Martha Plimpton, as well as other prominent advocates, to increase awareness of and support for modernizing NYS law in the face of federal threats, ensuring that abortions in our State will remain safe, accessible, and legal. Join us to learn about volunteer opportunities and political actions you can take to help pass the Reproductive Health Act in 2018. RSVP at <http://tinyurl.com/ReproductiveHealthAct> or by calling (212) 490-9535.

### **Forum on Access-a-Ride December 14th:**

On Thursday, December 14th from 6:00 to 8:00 p.m, I am hosting a Forum on Access-a-Ride, its challenges and the MTA's plans for its improvement, at Mount Sinai Downtown - 10 Union Square East between 14th and 15th Streets, in the 2nd Floor Conference Room. RSVP at <http://tinyurl.com/Access-A-Ride> or by calling (212) 490-9535.

### **Coping with Cancer -- Support for the Caregiver Forum November 6th:**

Memorial Sloan Kettering is hosting an "in-person only" forum called CancerSmart: 'Support for the Caregiver: Practical Advice and Tips for Coping' on Monday, November 6th at 5:00 pm. The Forum will take place at Zuckerman Research Center Auditorium, 417 East 68th Street (between York and First Avenues).

This is a free event. Registration is preferred. To register and receive information about future discussions, visit us at [www.cancersmart.org](http://www.cancersmart.org) or call 212-639-3074.

### **Symposium on Nursing Home Residents Rights and Care on November 13th:**

On November 13, 2017 from 9:30am – 2:00pm the Long Term Care Community Coalition (LTCCC) is hosting a Symposium entitled "Fulfilling the Promise: Resident Rights & Resident Care in the New Federal Standards for Nursing Homes." The symposium will feature speakers discussing relevant aspects of the new federal standards for nursing home care and other topics related to accessing the care and services that every resident deserves. Presenters include Richard Mollot from LTCCC, Toby Edelman from the Center for Medicare Advocacy and Samantha Rauer from Mobilization for Justice. The Symposium will take place at the American Red Cross, 520 West 49th Street, NYC. For more information or to register, please contact Sara Rosenberg at 212-385-0355 or [sara@ltccc.org](mailto:sara@ltccc.org).

### **Changes to Open Enrollment for Healthcare Marketplace Coverage:**

The Open Enrollment Period for the Healthcare Marketplace in New York will run from November 1, 2017 to January 31, 2018. Although the Trump administration decided to significantly shorten the Open Enrollment Period, New York has its own marketplace, and therefore, is able to determine the length of its Open Enrollment Period. If you want to enroll for health insurance through the individual marketplace for coverage in 2018, or switch plans, the upcoming Open Enrollment Period will run from November 1, 2017 to January 31, 2018. It is also important for you to know that eligible policy holders will still receive cost-sharing subsidies to help make the cost of health insurance more affordable.

2018 health insurance plan details are now available. If you would like to consult with a trained representative at no charge prior to selecting your health insurance plan, Navigator Sites are an excellent resource. The following is the contact information for a local Navigator Site:

Community Service Society of New York  
[633 Third Avenue, 10th Floor](#)  
[New York, NY 10017](#)  
Phone: [888-614-5400](tel:888-614-5400)

Please make sure to call and schedule an appointment for November 1st through January 31st to ensure health care coverage in 2018. **You will need to sign up for a health insurance policy by December 15th in order for it to take effect January 1, 2018.**

Before selecting your plan, it is important to check the following:

- Will your primary physician, ob/gyn, and any specialists accept the insurance? This is important to verify, even if you are not changing plans. Health insurance companies are using narrower provider networks than before, which may cause reductions to their list of in-network providers. Please note that a new search tool has been added to the New York State of Health marketplace website: <https://pndslookup.health.ny.gov/>. This tool allows you to search by medical provider to see what health insurance plans s/he accepts. It also allows you to search by health plan to see which medical providers are in-network.
- Will any regularly prescribed medications be covered under the plan? Each health insurance plan has a list of pharmaceuticals that are covered. If you are concerned about prescriptions being covered, this is important to verify before you enroll in the plan. Navigator Site representatives can provide assistance with this.
- Which plan will be the most affordable while providing the amount of coverage you need? Research has shown that many people do not take the time to comparison shop before selecting a health insurance policy. It is worth taking the time to consider your healthcare needs and assess which plan will give you the greatest savings based on premiums charged, co-pays, and deductibles. Navigator Site representatives can also provide assistance with doing a comparison of plan costs.

### **Medicare Part D and Medicate Advantage Plan Open Enrollment:**

If you wish to change your Medicare Part D or Advantage Plan coverage, you need to do so during the open enrollment period between October 15 and December 7, 2017. The Legal Advocacy Department of Lenox Hill Neighborhood House is scheduling individual counseling appointments to help you select the best Medicare Advantage or Part D plan for you. For more information or to sign up for an appointment please call Isamar Cornelio at 212-218-0536. Appointments will be held at Lenox Hill Neighborhood House 331 E. 70th Street. You can also receive assistance through the Health Insurance Information, Counseling and Assistance Program (HIICAP) by calling (212) 602-

4180. There is also an online search tool to help you identify the best plan for you at <https://www.medicare.gov/find-a-plan/questions/home.aspx>.

**Assistance for Access-a-Ride Users:**

The Access-A-Ride Reform Group (AARRG!) is an advocacy and legal services coalition dedicated to helping and advocating for New Yorkers with disabilities who use our paratransit system. If you are an Assess-a-Ride user who struggles with constant delays, excessive trip times, language access, or poor service in the paratransit system, AARRG! Wants to hear from you. Take their online survey at [bit.ly/AARRGsurvey](http://bit.ly/AARRGsurvey) to share your thoughts about the quality of service in the system.

AAR users (or potential users) who have experienced difficulty with applications for paratransit service can also get help by emailing Eman Rimawi at [erimawi@nylpi.org](mailto:erimawi@nylpi.org).

**NY ABLE Savings Account Program for People with Disabilities:**

In August, New York State launched the New York Achieving a Better Life (NY ABLE) program, a new savings account program to help those with disabilities build tax-free cash reserves, which their supporters say assists those New Yorkers in maintaining independent and quality lives.

NY ABLE is open to those with a disability before age 26 who are entitled to federal Supplemental Security Income or Social Security Disability Insurance benefits. ABLE accounts can be set up by a person with a disability, their parent or legal guardian, or someone with power of attorney. To qualify, a person must have been disabled by the age of 26. Only one account is allowed per beneficiary.

The annual contribution limit is set at \$14,000, and the accounts can have up to \$100,000 without impacting eligibility for SSI or Medicaid. Typically, someone can only have \$2,000 in savings or assets to qualify for SSI or Medicaid. Withdrawals are tax free if used for qualified expenses that include education, health care, housing, transportation and personal support services, among other uses. There is a \$45 annual fee to maintain an ABLE account (\$55 if paper statements are mailed), and an annual investment fee of .4% if the investment option is chosen.

ABLE accounts are designed to be simpler and less expensive to set up than special needs trusts, the other primary savings vehicle for people with disabilities. Also, unlike a special needs trust, an ABLE account is owned by the person with a disability and can be directly accessed by them. However, special needs trusts have some advantages. For example, trusts aren't subject to the \$100,000 cap regarding SSI and Medicaid eligibility. Also, the state can recoup remaining funds in an ABLE account to repay Medicaid costs after the beneficiary's death, while a trust can be sheltered from Medicaid payback. It may be beneficial to use both a special needs trust and an ABLE account. Consulting a financial planner may help with these decisions.

For more information about NY ABLE, go to the state's website, [mynyable.org](http://mynyable.org), email [clientservices@mynyable.org](mailto:clientservices@mynyable.org) or call (855) 569-2253. Applications can be filled out online at [mynyable.org](http://mynyable.org), and paper application forms can be downloaded on the website.

**New York Green Business Program:**

The Department of Environmental Conservation has launched the New York Green Business (NYGB) program, which provides recognition and benefits to businesses and other entities that have a strong commitment to operating sustainably.

Businesses that participate must have a good record of compliance, make future sustainability commitments, and communicate their sustainability commitment to their customers and employees.

Applications for the program are being accepted through Friday, December 15th. Applications and more information can be found on DEC's website at <http://www.dec.ny.gov/chemical/103000.html>

**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, November 11, 11AM-3PM, Biscuits and Baths (Dogs only)  
1064 First Avenue at 58<sup>th</sup> Street

Sunday, November 26<sup>th</sup>, 12-4PM,  
Petco Union Square, 860 Broadway at Union Square North

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

**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: Walk-in Clinic. The next clinic will take place Thursday, December 14th from 9:30 a.m to 1:00 p.m at Lenox Hill Neighborhood House, 331 East 70<sup>th</sup> Street. You must arrive before Noon to ensure you can be seen. If you are 62 years or older, live in a rent regulated apartment and have an annual household income of \$50,000 or less you may be eligible for the Rent Freeze Program. Find out if you are eligible and get assistance applying or recertifying for SCRIE.
- Tenants Rights Advice Clinic: Walk-in clinic, first Thursday of every other month, starting November 2. From 10am to 1pm at 331 East 70th Street, First come-first Served. Please bring all relevant housing-related documents with you.
- 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.

Burden Center for the Aging, 1484 First Avenue (between 77th & 78th Streets) — 2 pm, 2nd Friday of the Month (November 10, October 8). Call Margaret Reiff at 212-879-7400, ext. 204 for information.

Stanley Isaacs Senior Center, 415 East 93rd Street (east of 1st Avenue) — 10 am, 3rd Friday of the Month (November 17, December 15). 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, November 27, December 7. Call Narobe Arias at 212-581-2910, ext 125 for information.

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

**West 29th Street Apartments Phase 2** is now accepting applications for 15 affordable studio, 1- and 2 bedroom apartments newly constructed at 221 West 29th Street in the Chelsea neighborhood in Manhattan. Rents for these apartments range from \$621 to \$2,743 depending on unit size and income. To be eligible, applicants must have incomes between \$23,178 and 124,020 depending on unit and family size. Asset limits also apply. 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/406.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: Affordable Housing, Dept. 29, 1357 Broadway, Box 309, 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 November 15, 2017. Applicants who submit more than one application may be disqualified.

**West 42nd Street Apartments Phase II** is now accepting applications for 166 affordable studio, 1- and 2 bedroom apartments newly constructed at 605 West 42nd Street in the Clinton neighborhood in Manhattan. Rents for these apartments range from \$613 to \$2,520 depending on unit size and income. To be eligible, applicants must have incomes between \$22,903 and 114,480 depending on unit and family size. Asset limits also apply. Preference will be given to Community Board 4 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/401.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: W. 42nd Street Apartments Phase 2 1357 Broadway Box 460, 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 1, 2017. Applicants who submit more than one application may be disqualified.

**42 West 33rd Street Apartments** is now accepting applications for 45 affordable studio, 1- and 2 bedroom apartments newly constructed at 42 West 33rd Street in the Chelsea neighborhood in Manhattan. Rents for these apartments range from \$867 to \$1,123 depending on unit size and income. To be eligible, applicants must have incomes between \$31,612 and 57,240 depending unit and family size. Asset limits also apply. 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/402.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: 42 WEST 33rd STREET APARTMENTS, 1357 Broadway, Box 309, 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 4, 2017. 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:

- November 14, 9 - 10:30 am, 92 Street & Lexington Avenue – Bus
- November 14, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
- November 14, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
- November 15, 11 am - 1 pm, 79 Street & York Avenue – Bus
- November 15, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
- November 15, 9 - 10:30 am, 92 Street & Lexington Avenue – Bus
- November 16, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
- November 16, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
- November 16, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
- November 28, 9 - 10:30 am, 92 Street & Lexington Avenue – Bus
- November 28, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
- November 28, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
- December 1, 9 - 10 am, 57 Street and 1 Avenue – Van

December 1, 10:30 - 11:30 am, 57 Street and 3 Avenue – Van  
December 1, 12:30 - 2:30 pm, 68 Street and 1 Avenue – Van  
December 6, 9 - 10:30 am, 79 Street & 3 Avenue – Bus  
December 6, 11 am - 1 pm, 79 Street & York Avenue – Bus  
December 6, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus  
December 7, 7 – 9 am, 91 Street and York Avenue - Van  
December 7, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van  
December 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 the inside temperature is required to be at least 68 degrees Fahrenheit.
- Between the hours of 10PM and 6AM the inside temperature is required to be at least 55 degrees Fahrenheit.

Note that there is no longer any outside temperature requirement.

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.