

News from STATE SENATOR **Liz Krueger**

New York State Senate - 26th District



COMMUNITY BULLETIN

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Message from Liz...

I attended Governor Cuomo's State of the State on January 4th and was excited about a number of his priorities. In his speech, the Governor outlined an ambitious and thoughtful agenda that could equal or even surpass the successes of his first year in office. While we don't always agree, there is no question that the Governor has shown a remarkable ability to move his agenda, and I look forward to working with him to achieve our mutual goals on many of the issues he discussed. I am concerned about some of his economic development proposals that rely heavily on the expansion of casinos and convention centers, neither of which have proved to be successful job creators in other states.

I want to highlight some of the issues the Governor raised that I am particularly excited about and discuss how to maximize these proposals' impact to improve the lives of New Yorkers.

Housing:

I was particularly pleased to see that the Governor recognizes the need to address the different facets of the State's housing crisis. His proposed Foreclosure Prevention Unit could be an important tool in finding ways to help New Yorkers stay in their homes. His budget will need to invest in continuing the model community and legal service programs that were started in earlier years to help people fight wrongful evictions in both single and multi family housing.

The Governor also clearly got the message that we need to do more to ensure renters are treated fairly. He proposed a new Tenant Protection Unit to defend tenants' rights and investigate and prosecute landlords who use illegal tactics in an attempt to deregulate apartments. When we passed rent regulation renewal last year, I said it had to be a down payment on further efforts to protect tenants, and this proposal from the Governor would be a major step forward. Particularly given the likelihood that the Senate's Republican majority is likely to resist further rent law reform and may even try to roll back existing protections, having an executive who understands the importance of tenant protections is critical.

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Reproductive Rights:

The Governor also committed to passage of the Reproductive Health Act in his written statement accompanying the address. This commonsense legislation would guarantee access to reproductive health services, and move the rules governing abortion from criminal to public health law. I will be working with the Bipartisan Pro-Choice Legislative Caucus to support the Governor's effort to move this long-delayed bill through the Senate.

New York State was the first of 50 states – even before *Roe v. Wade* in the Supreme Court – to pass a law protecting our reproductive rights. But we have failed to update our law, leaving it grossly antiquated now. With threats coming from both Washington and a more emboldened anti-choice minority, New York State must move our statutes into the 21st century.

Energy Policy:

I was pleased with the Governor's commitment to modernizing our energy infrastructure and encouraging the development of solar and other alternative energy sources. This is what the State should be focusing on in its energy policy, rather than pursuing the risky strategy of allowing hydrofracking for natural gas. The science and facts show there is no safe way to move forward with hydrofracking, and I hope that the Governor will focus on the proposals he discussed in his speech and recognize that hydrofracking is simply too dangerous to allow in our state.

Tax Reform:

The Governor and I do not always agree on tax policy -- we have a long way to go in creating a more progressive state tax code -- but we do agree that there is a need for fundamental reform and modernization of our tax structure. The Governor announced the creation of a Tax Reform and Fairness Commission. As the ranking Democrat on the Senate Finance Committee, I look forward to working with the Commission to make sure that our tax policy is equitable, encourages smart economic decisions by individuals, businesses and local governments, and eliminates decades-old tax breaks that drain our coffers without serving the public interest.

Campaign Finance Reform:

The Governor also called for reforming our campaign finance system to reduce the influence of money and lobbyists on the process. Can I say Amen! Unprecedented, unaccountable money in elections is the greatest threat to our democracy. I continue to support public financing as the most effective way to achieve these goals. I look forward to working with the Governor on this and other important electoral reform issues, particularly independent redistricting and increased voter participation. New York State now ranks 48th in voter participation – SHOCKING!

Food Stamp Access:

Particularly in times of economic hardship, it is critical to ensure that our social safety net is as robust as possible. Food stamps are a critical piece of that support structure, and I was pleased to hear the Governor speak about the importance of increasing enrollment in the food stamp program. Even better, he has focused on the concrete step of eliminating the requirement that recipients be fingerprinted, which only stigmatizes participation in the

program and discourages many from enrolling who are in desperate need. New York City is the only major city in the country that engages in this cruel and unnecessary practice.

While I appreciate the Governor's commitment to food stamps, there is also no question that recent budget cuts have severely damaged social safety net programs. As we develop the upcoming budget, I will be fighting to ensure that we recognize the fundamental responsibility of the state to provide for and protect the most vulnerable New Yorkers.

Services for People with Disabilities:

I was also gratified to hear the Governor commit to improving the treatment of people with disabilities. Governor Cuomo plans to implement an Olmstead Implementation Plan in response to the Supreme Court decision in *Olmstead v. L.C.* (1999), affirming the right of people with disabilities to receive care in the most integrated setting appropriate to their needs. Equally important, he has committed to addressing the unacceptable conditions that many individuals with disabilities experience in state and privately run residential facilities. It is critical that all people with disabilities have the opportunity to fulfill their potential and be treated with dignity and respect, and I am encouraged that the Governor has recognized that New York State has a long way to go to meet this standard.

Transportation Infrastructure:

The Governor made important commitments to infrastructure repair and modernization, both as a way of creating jobs and of addressing the obvious need to restore our roads, bridges and public transportation. This is one area where the devil will be in the details – Governor Cuomo offered a lot more details about his efforts to address roads and bridges, and less detail on ensuring adequate capital funding for the MTA. Particularly with the reduction of dedicated revenue from the MTA payroll tax, the Governor must commit to both replacing that funding and to developing a Capital Plan that addresses the infrastructure needs of the 12 county MTA region. Assuring the timely completion the Second Avenue Subway is a critical issue for my district!

While there were many more issues on Governor Cuomo's ambitious agenda, these were the ones that most excited me. Based on his speech I am convinced that the Governor wants to build on his record of accomplishment last year, rather than rest on his laurels. Given that this is an election year for the legislature, he will face a new set of political challenges in accomplishing his goals, but he certainly has demonstrated his effectiveness in overcoming the traditional Albany obstacles up to this point.

We still need to see a lot more details from the Governor about each of the items on his agenda, and but I am optimistic that this could be another year of significant accomplishments in Albany.

COMMUNITY SPOTLIGHT

Senator Liz Krueger's **Senior Roundtable** 2011-2012 Program

Planning Ahead: Senior Living in the 21st Century A Five-Part Series for Boomers and Seniors

Join Us for Part 3:

It Starts at Home: Getting Real About Housing

A discussion about how to best plan for your
living arrangements as you age

Thursday, January 19th, 2012
8:00 – 10:00 am
Lenox Hill Neighborhood House
331 East 70th Street

A light breakfast will be served.
RSVP required.

For further information or to RSVP, email Dore Mann, doremann@gmail.com or call (212) 490-9535.

Landmarks Commission Hearing on First Avenue Estate:

The Landmarks Preservation Commission (LPC) has scheduled a "hardship" hearing for two individually landmarked buildings within the City and Suburban Homes First Avenue Estate. If the owner's application is granted, the owner would be permitted to demolish the landmarked buildings at 429 East 64th Street and 430 East 65th Street on the grounds that they do not generate sufficient economic return.

I supported landmarking these buildings in 2006, and I will testify in strong opposition to this application now. The landlord has been warehousing numerous apartments in these buildings, and is trying to use the resulting low returns to justify his hardship claim. The LPC has traditionally only granted hardship claims in the most extreme circumstances, and the facts in this case clearly do not rise to that level. City and Suburban Homes is a critical piece of the Upper East Side's architectural and social history, which was recognized in the landmarking process. The LPC should ensure it is preserved in its entirety.

Please join me in testifying at the hearing, which will take place on Tuesday, January 24th at the Municipal Building, 1 Centre Street, 9th Floor. The time of the hearing has yet to be announced, but will take place during the day, and you may call my office at (212) 490-9535 or the LPC at 212-669-7817 for the exact time as we get closer to the hearing date. You can read all about the fight to protect these buildings on the website of Friends of the Upper East Side Historic Districts at <http://www.friends-ues.org/>.

Motorized Scooters, Mini-Bikes, Motor Assisted Bicycles Are Illegal on our Streets!

There has been a recent proliferation of motorized bicycles on our streets despite the fact that these vehicles are illegal in New York State. I am happy to report that the NYPD has begun issuing citations on these illegal vehicles.

According to the New York State Department of Motor Vehicles, you cannot register any of the motorized devices from the list below in New York State. You cannot operate these devices on sidewalks, public streets or highways. These devices are motor vehicles, but they do not have the correct equipment or design for operation on roadways.

- Motorized Scooter - a device with a motor attached and a handlebar for a standing rider. An example of a motorized scooter is the device called the Go-ped®.
- Mini-bike - a small, motorized device with two wheels and created for off-road use. A mini-bike does not qualify as a [moped](#), a motorcycle or an [ATV](#).
- Motor-assisted Bicycle - a bicycle to which a small motor is attached. A motor-assisted bicycle does not qualify for a registration as a motorcycle, [moped](#) or [ATV](#) and does not have the same equipment.

These devices are not allowed on any street, highway, parking lot, sidewalk or other area that allows public motor vehicle traffic.

Help Finding Assistance Paying for Prescriptions:

NeedyMeds is an online information resource of programs that provide assistance to people who are unable to afford their medications and health care costs. They maintain current information about many sources of assistance that anyone can use without registering or entering any personal data. All their information is provided at no cost and is updated daily. Among the resources they offer information about are Patient Assistance Programs (PAPs), which are created by pharmaceutical companies and provide free or discounted medicine to people who are unable to afford them. Each program has its own qualifying criteria. The site also has information on medication coupons, disease-based assistance programs, free and low-cost clinics and drug discount cards. The site can be accessed at www.needymeds.org.

January 27th is EITC Awareness Day:

On January 27th the IRS will join with community organizations to increase awareness of the Earned Income Tax Credit, which can provide up to \$7,768 in federal, state and city tax refunds to both employees and the self-employed. Payments and eligibility are based on income and family size, and families with earnings of up to \$49,078 can be eligible. You can

find out information about free tax preparation services beginning January 17th by visiting http://www.nyc.gov/html/ofe/html/policy_and_programs/taxprep.shtml or calling 311.

Affordable Housing Opportunities in Manhattan:

West 53/54th Street Apartments is now accepting applications for 96 affordable studio, 1-, 2- and 3-bedroom apartments under construction on West 54th Street, between Tenth and Eleventh Avenues, in the Clinton Section of Manhattan. Rents for these apartments range from \$508 to \$964 depending on income and unit size. To be eligible, applicants must have incomes between \$19,920 and \$48,150, depending on income and family size. Preference will be given to Community Board 4 residents for 48 units, mobility-impaired persons for five units, visual- and/or hearing-impaired units for two units, and City of New York municipal employees for five units. Preference for all units will go to New York City residents.

To request an application, mail a postcard, including your name and full address to: West 53/54 Street Apartments Phase 2, 1357 Broadway, Box 410, New York NY 10018, or download the application from www.w5354phase2.com.

Completed applications must be returned by regular mail only to a post office box that will be listed on the application and must be postmarked by February 20, 2012. Applicants who submit more than one application will be disqualified.

Heat Season Rules:

The City Housing Maintenance Code and Multiple Dwelling Law requires 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.

POLICY SPOTLIGHT

Pension Forfeiture

Senator Carl Kruger's recent guilty plea on federal corruption charges, followed quickly by his application to start collecting his State pension, has once again brought attention to the fact that in New York State public officials convicted of crimes do not lose their pensions. While the Governor's ethics bill passed last spring partially dealt with this problem by denying pensions to any new employees convicted of crimes, the fact that it did not apply retroactively means that those employed when the bill passed, including Senator Carl Kruger, were not impacted.

I first introduced legislation in 2004 to address both current and former employees in the wake of the conviction of another State Senator, Guy Vellela. While for many years my colleagues were not interested in moving this bill, it now appears there may be a new recognition that the public expects the legislature to fully address this loophole. The Deputy Majority Leader, Tom Libous, recently pledged to support pension forfeiture for all state employees convicted of crimes connected to their duties.

My legislation, [S. 416](#), would allow the district attorney to commence a judicial action for pension forfeiture for any public official convicted of a felony offense related to their duties. If the court ruled for pension forfeiture, any contributions the individual made into the pension system would be refunded. The pension could also be restored if the original conviction was vacated by a higher court. The bill was drafted to meet potential constitutional objections based on the protections to pension benefits set forth in the State Constitution.

It is simply unconscionable for elected officials who violate their oath of office to receive a pension funded by taxpaying New Yorkers. The fact that a convicted criminal can still collect their pension is a perfect example of Albany's culture of corruption. When we do pass this legislation, it will be an important step toward returning integrity and responsibility to the State Legislature.