



# Community Newsletter

## ASSEMBLY MEMBER DANIEL O'DONNELL

Manhattan Valley ■ Morningside Heights

Upper West Side ■ West Harlem

FALL 2011

■ SERVING NEW YORK'S 69<sup>TH</sup> ASSEMBLY DISTRICT ■

Dear Neighbor,

*I hope the end of summer and the first weeks of fall have treated you well. The past few months have been exciting here in the 69th Assembly District, with many community happenings and significant legislative changes.*

*In our community, I was proud to host a number of my annual events, including my two annual Community Health Service Days, hosted by the Ulysses S. Grant Houses and the Children's Aid Society at Frederick Douglass Houses, as well as the informational Harlem Health Series. I was also happy to host one of my most successful Community Reading Challenges yet, and was very pleased that my annual Children's Book Drive collected over 1,000 books to go to classrooms and libraries throughout our city.*

*In the Assembly, the end of this year's legislative session brought a number of significant accomplishments. One such change was an important new bill reforming the laws that regulate ethical conduct for the Assembly and State Senate, instituting a number of vital changes.*

*A second and even more significant change was the passage of the Marriage Equality Act, legalizing same-sex marriage in our great state! The passage and signing of this legislation was both a professional and personal victory for me, as I have led the Marriage Equality Act to passage in the Assembly four times since 2007 and have been with my partner John for over 31 years. At long last, the state where we were both born, raised, and have lived our adult lives has agreed that all New Yorkers deserve Marriage Equality in the eyes of the law. You can find more details about both of these bills in this newsletter.*

*My community office is located at 245 W. 104th Street, just off Broadway. My staff and I are always available to assist you. I encourage you to call, write, or visit us, Monday through Friday from 9:00 AM to 5:30 PM. For those with specific housing problems, I have a dedicated housing specialist on staff and host monthly legal clinics for tenants.*

*I hope you will find this latest newsletter informative and useful. If you have any questions or concerns, please don't hesitate to call my community office at 212-866-3970.*

Very truly yours,

*Daniel O'Donnell*

### ¡Atención!

La oficina de la comunidad del asambleísta O'Donnell tiene disponible empleados que hablan español para asistir al público tiempo completo, lunes a viernes de 9:00 AM a 5:30 PM. La oficina está localizada en el 245 West 104th Street, cerca de Broadway. También pueden llamar a la oficina en horas laborables al 212-866-3970.

Recuerden que nuestro noticiero está disponible en español. Para obtener una copia favor de comunicarse con la oficina del asambleísta Daniel O'Donnell.

## Marriage Equality Becomes Law!

On June 24th, the New York State Senate finally approved the Marriage Equality Act, legislation that establishes equal marriage rights for same-sex couples in New York State and extends the associated rights, responsibilities, and protections of marriage to those couples. The vote came closely on the heels of the Assembly's fourth successful passage of the bill on June 15th.

As the legislative sponsor of this legislation, Assembly Member O'Donnell has led the fight for Marriage Equality since 2004 when he became a plaintiff in the same-sex marriage lawsuit decided by the Court of Appeals.

Before passage for the final time by the Assembly, Assembly Member O'Donnell collected more co-sponsors for the Marriage Equality Act than ever before; a full 69 Assembly Members signed on to the bill to show their strong support. It was with this overwhelming backing that the bill went to the State Senate where it passed by a vote of 33-29. When the vote count was finally read aloud, Assembly Member O'Donnell's partner of over 31 years, John Banta, was standing by his side.

Finally, on July 24th, the Marriage Equality Act went into effect in New York State. Since that date, thousands of same-sex couples have taken advantage of their long-deserved right and legally solidified their bonds through marriage.

If you have questions about how the new law affects you, feel free to contact Assembly Member O'Donnell's Community Office at 212-866-3970.



Assembly Member O'Donnell leads debate of the Marriage Equality Act on the floor of the Assembly.

## An Update on “Hydrofracking” in New York State

As many in our community are aware, the debate over whether to allow the risky and controversial drilling practice known as high-volume horizontal hydraulic fracturing, or “hydrofracking,” in New York State continues. Governor Cuomo and the New York State Department of Environmental Conservation (DEC) appear committed to allow hydrofracking, which was previously prohibited under a moratorium set in place by former Governor Paterson. They have released over 2,000 pages of materials regarding the proposed rules and regulations with only a 90 day public comment period in which to evaluate them.

Assembly Member O’Donnell believes this comment period is insufficient in length and recently sent a letter with several of his colleagues to Commissioner Joe Martens of the DEC urging the Commissioner to reconsider the simultaneous release of the Supplemental Generic Environmental Impact Statement and the proposed regulations for hydrofracking that deal with that statement. O’Donnell previously sent three earlier letters to Governor Cuomo (in April, August, and September) urging an extension of the public comment period.

Quite simply, with the cuts to DEC regulatory staff, a questionable ability of our water treatment plants to handle the potentially radioactive and contaminated drilling waste, and the inability of New York’s current infrastructure to support drilling, Assembly Member O’Donnell believes this is a shortcut New York cannot afford to take. Hydrofracking not only threatens to pollute New York’s water, but to also irreversibly damage its natural environment with hazardous chemicals and threaten the health and well-being of unsuspecting citizens. Assembly Member O’Donnell remains actively engaged in the fight to stop hydrofracking here in New York State.

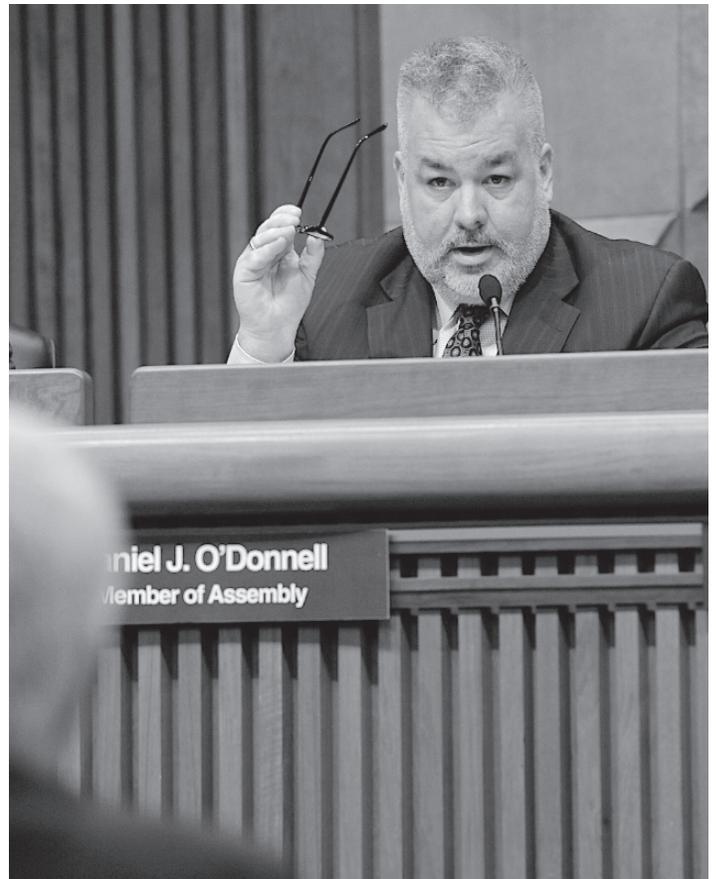
Recently, as part of the Assembly Committee on Environmental Conservation, O’Donnell took part in a public hearing in Albany on October 6th. The eleven-hour-long hearing allowed Assembly Member O’Donnell and other members of the Committee to question DEC Commissioner Joe Martens regarding their concerns. It also allowed them the opportunity to hear the concerns of the public. In his questioning, O’Donnell pushed DEC Commissioner Martens to address the disputed economic predictions of drilling in New York’s Marcellus Shale, the reasons behind the complete suspension of hydrofracking in countries outside the United States, and the connection between hydrofracking and earthquakes.

Legislatively, O’Donnell has taken many steps to protect New Yorkers from the dangers of hydrofracking. He was co-sponsor and voted in strong support of A7400, a bill that would extend a moratorium on hydrofracking by suspending the issuance of new

permits until at least June of 2012. This bill was passed by the Assembly on June 6th, 2011, but stalled in the State Senate.

He has also co-sponsored various bills that would introduce a variety of safety measures, including prohibiting particular on-site procedures, regulating toxic fluids, and requiring further research, as well as before-and-after testing of drilling sites.

Finally, O’Donnell authored and introduced his own legislation, A6913, which would prohibit the use of hydrofracking’s salty wastewater in wells, pools, fields, and highways as a means to melt ice. This dangerous practice, already occurring in Pennsylvania, could easily lead to toxic chemicals tainting the sources of our drinking water. Assembly Member O’Donnell believes New York needs a common sense approach like A6913 to keep our state’s citizens and vast water resources safe.



*Assembly Member O’Donnell questioning NYS Department of Environmental Conservation Commissioner Joe Martens at the Assembly hearing regarding hydrofracking on October 6th.*

## Significant Ethics Reform Legislation Signed Into Law

The Public Integrity Reform Act of 2011 was passed this legislative session by both the Assembly and Senate. Among other requirements, the bill creates:

- a requirement for greater income disclosure by lawmakers, including outside income from business interests as well as any clients or customers who are doing business with the state.
- a mechanism to strip elected officials of their pensions should they commit a crime related to their public office.
- an independent, bipartisan Joint Commission on Public Ethics with broad power to investigate wrongdoing in state government.

In his role as Chair of the Assembly Committee on Ethics and Guidance, Assembly Member O’Donnell led debate regarding the bill on the Assembly floor. In his remarks, he explained the necessary and significant ethical reforms it institutes. After near unanimous passage in the Legislature, Governor Cuomo subsequently signed this bill into law on August 15th. Its provisions are currently being implemented.

As Chair of the Assembly Committee on Ethics and Guidance, Assembly Member O’Donnell knows firsthand the importance of this ethics reform legislation. In his role as Chair, he plans to continue fighting for a more ethical, responsible Albany.

# Welcome!

Assembly Member O’Donnell welcomes two new staff members, **Dominic Lee** and **Michael Elias**, to his community office. Both will be serving as Community Liaisons.

## Internships Available

Assembly Member O’Donnell’s community office has internships available for high school and college students. To apply, please fax or email a cover letter and resume to 212-864-1095 or [odonnell@assembly.state.ny.us](mailto:odonnell@assembly.state.ny.us). For more information, please call 212-866-3970 and ask for Michael.

## O'Donnell Reintroduces Dirty Heating Oil Phase-out Bill

With the arrival of “heating season” for New York City apartments on October 1st, NYC landlords must now keep apartments at 68 degrees Fahrenheit or above should the outside temperature be below 55 degrees during the day (between 6AM and 10PM), and at least 55 degrees Fahrenheit when the outside temperature falls below 40 degrees at night (between 10PM and 6AM).

While this heating is essential for well-being, many buildings throughout NYC burn nos. 4 and 6 grade heating oils to do so, rather than the cleaner no. 2 heating oil. These heavier heating oils cause serious pollution and constantly threaten the health of our community’s children and other residents. The city government recently implemented a new set of regulations that would stop usage of these heavy heating oils over time, but this phase-out would not be complete for 19 years.

Assembly Member O'Donnell believes this is far too long to wait for cleaner air; indeed, our community’s youngest children will have grown up by the time it is complete, suffering the effects of this pollution all the meanwhile. As a result, O'Donnell has reintroduced his bill, A7623, which would establish a ban on these dirtier heating fuel oils on a shorter timetable.

### Free Legal Clinic for Tenants

Assembly Member O'Donnell hosts a monthly opportunity for constituents with housing issues to consult with a volunteer attorney. To make an appointment for one of these evening clinics, call Joyce at 212-866-3970.

#### Upcoming clinic dates:

November 17th

December 22nd

January 26th

February 23rd

## TENANT'S CORNER: Your Rights When Dealing With Apartment Succession

Is it possible for a rent regulated tenant to move or pass away and have a family member take over the tenancy? This is a question often raised by those who visit Assembly Member O'Donnell's Community Office. While it is not possible to discuss this subject, known as succession rights, in any serious detail here, there are some basic facts that tenants should know.

If you are either a rent stabilized or a rent controlled tenant (known collectively as rent regulated tenants), members of your family, including those who come within the legal definition of “non-traditional” family members, may be entitled to remain in your apartment after you leave or pass away if certain other criteria are met.

For those who want to remain after the tenant of record (the person named on the lease, or for rent controlled tenants, the person named in official documents) departs, it is necessary for them to have lived with the tenant of record for two years just prior to that person's departure and to have made that home their primary residence during that two year time period. For family members who are disabled or senior citizens, the time period is shortened to one year.

Although this may sound confusing, what is important for families to take away from this is that some planning on their part is extremely helpful in order to protect those who want to remain in the apartment from being threatened with eviction by the landlord after the tenant of record leaves or passes away. To avoid this situation, it is helpful for family members to make sure that they use the apartment address for official documents (such as tax returns, driver licenses, and cell phone bills), when applying for government benefits and bank accounts, and on voter registration applications. In addition, it is important that the tenant of record notify the landlord when moving out and family members notify the landlord promptly when the tenant of record passes away.

It is important to note that when remaining family members continue to sign renewal leases or submit rent payments in the name of the tenant of record after he or she has left the apartment, they put the future of their own tenancy in jeopardy.

If you have questions about your situation, there is help for you at Assembly Member O'Donnell's Community Office.



Assembly Member O'Donnell reading to third grade students at P.S. 242 on West 122nd Street in Central Harlem at its May 20th Reading Gala.

# SUCCESSFUL COMMUNITY EVENTS

## 8th Annual Community Reading Challenge

This year, hundreds of students participated in Assembly Member O'Donnell's **8th Annual Community Reading Challenge**. This year's challenge stayed "green," featuring environmental- and nature-themed reading lists and relying less on printed materials. Pre-K through eighth grade readers submitted book reviews and drawings and attended reading parties at the district's three branch libraries—George Bruce, Morningside Heights, and Bloomingdale.

Assembly Member O'Donnell especially wishes to recognize the hard work of the **New York Public Library** staff and businesses whose time and generosity made this year's reading challenge a success. **Westside Market, Gristedes, Vareli, and Citarella** sponsored healthy snacks and **Book Culture** donated door prizes. Reading lists can still be found online at [www.assembly.state.ny.us/mem/?ad=69](http://www.assembly.state.ny.us/mem/?ad=69).

## Children's Book Drive

Assembly Member O'Donnell wishes to thank all those who participated in his spring book drive to benefit **Project Cicero**. With over 1,000 gently used children's and young adults' books donated this year, the community's response has consistently been incredible. All donated books will be distributed to New York City classrooms and libraries. Watch out for notification about Assembly Member O'Donnell's 2012 Book Drive – it's going to be earlier in 2012 than in previous years!

## E-Newsletters

Do you want more frequent updates about interesting community events, important government information, and what Assembly Member O'Donnell has been working on? Sign up to receive his monthly electronic newsletters by sending an email to [odonnelld@assembly.state.ny.us](mailto:odonnelld@assembly.state.ny.us).

## Harlem Health Series

Earlier this year, Assembly Member O'Donnell and his colleague Assembly Member Keith L.T. Wright sponsored the Harlem Health Series, three events that offered tailored information about diabetes prevention and management, heart disease, nutrition, breast and ovarian cancer, managing chronic illness, and environmental impacts on health and well being. He wishes to thank the amazing presenters: **SHARE, William F. Ryan Community Health Center, American Diabetes Association, Cornell University Cooperative Extension, and Harlem Hospital's Hip Hop Public Health Education Center.**

## Community Health Service Days

Assembly Member O'Donnell's two annual Community Health Service days were a big success! Many organizations were in attendance at the two events, one of which was hosted by the Children's Aid Society at Frederick Douglass Houses and the second by Ulysses S. Grant Houses. Attending groups provided health information on a wide variety of topics, as well as free services such as podiatric screenings and HIV/STD testing. Hundreds of community members were able to take advantage of these opportunities. Thanks to all the groups who sent representatives and shared their information or services with the community.



Assembly Member O'Donnell presenting a "Good Neighbor" award to Jane Wisdom, President of the Frederick Douglass Houses Tenants' Association, at the annual Goddard Riverside Community Center "Neighbor to Neighbor" dinner.

245 West 104<sup>th</sup> Street, New York, New York 10025

### Daniel O'Donnell's Community Newsletter

Assembly Member ■ 69<sup>th</sup> District  
Manhattan Valley • Morningside Heights  
Upper West Side • West Harlem



### COMMUNITY OFFICE INFORMATION:

Open Monday through Friday

9:00 AM - 5:30 PM

212-866-3970

[odonnelld@assembly.state.ny.us](mailto:odonnelld@assembly.state.ny.us)