



# News

from  
Assemblymember  
**LINDA B.  
ROSENTHAL**

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*Dear Neighbor,*

*I hope that you and your loved ones enjoyed a wonderful holiday season together and will continue to have a happy, healthy and safe New Year. The new year brings with it a new legislative session and new opportunities to bring about changes that will help to improve the lives of all New Yorkers.*

*To be sure, 2011 was a year of many successes and also of incredible tumult. We strengthened and renewed the rent laws, which help to keep more than two million New Yorkers in their homes. We also passed marriage equality. Despite these landmark victories, however, New York, like the rest of the country is experiencing the effects of a prolonged recession and long-term unemployment. It is against this backdrop that I return to Albany, ready to advocate for legislation that will help close the widening income gap and level the playing field for New Yorkers of every stripe.*

*I have spent the last several months back here in the district and have truly enjoyed the opportunity to meet with many of you. Now, I look forward to returning to Albany to work hard on your behalf to ensure that 2012 is a successful year for all of us, here on the Upper West Side and Hell's Kitchen and across the State.*

*As always, I welcome your questions and suggestions, so please reach out to my office at 212-873-6368 or rosenthall@assembly.state.ny.us. My staff and I will be in the district office ready to hear from you. Thanks and Happy New Year!*

*Sincerely,*

*Linda B. Rosenthal  
Member of Assembly — 67th AD*

## Ways to Stay Warm this Winter— HEAP: Home Energy Assistance Program

HEAP is a federally funded program that helps qualified low-income New Yorkers pay for their heat. Additionally, HEAP assists with furnace repairs and/or replacements for households with inoperable heating equipment. This program operates on a first-come, first-serve basis.

Enrollment is currently open for:

Regular Benefit – to help low-income New Yorkers with the cost of heating their homes.

Emergency Benefit – to help low-income New Yorkers facing a heat or heat-related energy emergency.

For more information, to obtain a HEAP application or for help filling out your HEAP application, contact my office at 212-873-6368 or rosenthall@assembly.state.ny.us.



*Assemblymember Linda B. Rosenthal welcomes new West Sider Maxwell Eliot Stringer, who was born on December 9, 2011. Congratulations to the proud parents, Manhattan Borough President Scott M. Stringer and his wife, Elyse Buxbaum.*

## Winter Heat and Hot Water 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°F.

Between October 1 and May 31, building owners are also required to provide tenants with heat under the following conditions:

- Between the hours of 6 a.m. and 10 p.m., if the outside temperature falls below 55°F, the inside temperature is required to be at least 68°F. Between the hours of 10 p.m. and 6 a.m., if the temperature outside falls below 40°F, the inside temperature is required to be at least 55°F.

Call 311 to register a complaint if the building does not fix the problem and then contact my office for assistance.

## Mosquitoes Swarm Upper West Side — Rosenthal Tackles the Problem

After learning that many constituents living on or near West 84th Street had been sleeping under netting to deal with a mosquito problem for more than a year, I contacted the agencies responsible for addressing the situation to prod them into action.

On a visit to the area, I saw that West 84th Street had many potholes and two large sinkholes as deep as 18 feet. This provided the mosquitoes breeding in the sewer with a perfect means of egress. A variety of factors had caused the holes, but they were not being repaired by the City.

Many constituents had made numerous complaints about the problem, but the City had been delinquent in its response to their mosquito complaints. More surprising, however, was discovering that the City's 311 system does not accept mosquito complaints after October 31. In the meantime, I received complaints from 59 people from around the district requesting assistance with their mosquito problem.

While multiple agencies passed abatement responsibility from one to the other, my office played the role of intermediary, working to coordinate a more effective and cooperative response. I also conveyed my dismay that the problem had not been addressed for more than a year. Shortly after I intervened, Con Edison began work to repair the sinkholes, the Department of Transportation began street repairs, the Department of Environmental Protection embarked on a series of sewer-flushing programs designed to diminish the mosquitoes' breeding ground, the Department of Health and Mental Hygiene visited the site to test the insects for disease (they are not vectors of West Nile) and residents have reported a small but noticeable improvement in the problem.

I have also written to the Mayor demanding that 311 log every mosquito complaint that comes in, regardless of the time of year.

Clearly, mosquitoes do not disappear when the winter sets in, and the City must be responsive to complaints from its citizens.

Until the City's 311 system begins accepting mosquito complaints, I will be recording and sending them to the appropriate City agency. If you have or are currently experiencing problems with mosquitoes where you live, please contact my office at 212-873-6368 or [rosenthal@assembly.state.ny.us](mailto:rosenthal@assembly.state.ny.us).



*Assemblymember Rosenthal at the New Alternatives for Children (NAC) Holiday Party and Talent Show with, from left: Arlene Goldsmith, Ph.D., Executive Director; Mark Goldsmith, Executive Director, GOSO—Getting Out and Staying Out; and Spencer Seabrook, MSW, Treatment Family Foster Care Program. NAC works to ensure that children with profound disabilities—many with spina bifida, cerebral palsy, severe asthma, and an array of developmental delays—are not forced to spend their lives in an institution. NAC finds foster and adoptive homes for underserved children with multiple disabilities and provides parents, foster parents, and siblings the support they need to cope with the challenges of caring for their children.*

## What's the Problem with SCRIE?

The Senior Citizen Rent Increase Exemption (SCRIE) Program protects rent-regulated senior citizens aged 62 or over with an annual income of \$29,000 or below who pay one-third or more of their income toward rent against rent increases. Seniors who qualify for SCRIE have their rent frozen and their landlords receive a tax abatement from the City to make up the difference.

SCRIE helps countless seniors living on fixed incomes to stay in their apartments and pay for food, medicine and clothing. Unfortunately, however, problems with the administration of SCRIE have led to long delays for many desperate seniors, lost paperwork by the agency and in some cases wrongful denials. In 2009, administration of the SCRIE program was transferred from the New York City Department for the Aging (DFTA) to the New York City Department of Finance (Finance) "to make it easier for seniors to apply..." according to DFTA's website.

The reality is that the switch has made things much more difficult for seniors. Since that time, my office has been inundated by constituents' complaints about issues with SCRIE. Finance must get its act together so that seniors are not forced to endure unnecessary bureaucracy. At the end of November, the New York State Assembly Housing Committee, on which I sit, held a hearing on SCRIE to examine the agency's practices and identify solutions. If you or someone you know has experienced any problems with SCRIE, I want to hear about it and help to secure your full benefits. Please contact my office to share your story. Also, please know that I will continue to work to ensure that Finance does its job properly and administers the program accurately and in a timely fashion.



*Assemblymember Rosenthal partnered with Reach Out and Read and the Ryan/Chelsea-Clinton Community Health Center to read to a group of children at the Center. The children's favorites were "Chikka Chikka Boom Boom" and "Five Little Monkeys."*



*Assemblymember Linda B. Rosenthal with Assemblymember Felix Ortiz, Manhattan Borough President Scott M. Stringer and Manhattan District Attorney Cyrus Vance at Shine the Light on Domestic Violence, a rally and news conference at Times Square to commemorate Domestic Violence Awareness Month and convey hope to those involved in domestic violence situations.*

## Speak Out on Hydrofracking

In anticipation of the New York State Department of Environmental Conservation's (DEC) public hearings on hydrofracking in New York State, I hosted a Speak Out on Hydrofracking in early November at Congregation B'nai Jeshurun, which was attended by many hundreds of people. The forum, which was part panel presentation, part town hall meeting, was designed to furnish important information about the background and dangers of hydrofracking as well as to provide attendees with an opportunity to pose questions to the experts. People also had an opportunity to make comments on the plan. The forum was filmed and all the comments were submitted to the DEC along with my testimony.

Hydrofracking, also known as fracking or hydraulic fracturing, is a process by which a combination of many gallons of pressurized water, sand and toxic chemicals is forced down a wellbore to create fractures that release gas trapped in the underground rock.

The DEC has proposed to open nearly 85% of the Marcellus Shale to natural gas drilling using a cocktail of unknown chemicals and toxins, such as benzene. This cocktail has the potential to contaminate drinking water, pollute the environment and present a serious danger to public health. While many argue that drilling for natural gas will help to create jobs and bolster the economy in already struggling parts of upstate New York, not many have factored in the "externalities" involved in fracking.



*Assemblymember Rosenthal along with panelists, from left: Eric Goldstein of the Natural Resources Defense Council; Al Appleton, international water conservation expert; Deborah Goldberg of Earthjustice; and actor and activist Mark Ruffalo.*

Natural gas drilling will drive home values down in a region of the State already struggling with record foreclosures and rapidly dwindling home values. In addition, in many cases leases to drill for natural gas violate the terms of a homeowner's mortgage and may make the property unmarketable. The negative impacts that fracking may have on the public's health and the environment must be factored in to any cost-benefit analysis of fracking. When considering these costs and the costs to the environment including contaminated water sources, increased diesel particulate and climate change-causing emissions, it is difficult to understand how fracking will be an economic boon for the State.

## New York City Animal Care & Control Must Operate Shelters in All Five Boroughs

With shelters in only three of the five boroughs, New York City Animal Care and Control (AC&C) is the largest shelter system in the United States. Last year, it took in more than 30,000 animals and more than 21,000 were adopted. Despite all this, AC&C funding does not match its purpose or scope, and the agency receives a pittance of funding from the City compared to what other shelter systems in the country are allotted. Because of this chronic underfunding and the lack of space, AC&C euthanized more than 8,000 animals last year.

This year, the City Council passed a law allowing AC&C to circumvent the legal requirement that it operate full-service shelters in all five boroughs. The passage of this new law allows AC&C to forego opening shelters in the Bronx and Queens in exchange for a small, one-time capital infusion into the existing shelters in Brooklyn, Staten Island and Manhattan. While this new funding is much needed and will increase staffing levels and hours of operation, the importance of running five full-service, no-kill animal shelters in New York City cannot be underscored. This arrangement will not address a major systemic problem—namely the lack of capacity at the existing shelters, which leads directly to the needless extermination of thousands of animals each year. The only humane remedy is to give animals a shot at adoption by opening shelters in the Bronx and Queens.

Although AC&C has been hit by budget cuts, the City's lost, stray and feral animals must not suffer because of lack of funding. I fully support plans advanced by Manhattan Borough President Stringer to reconstitute the AC&C board and transform it into a quasi-independent, non-profit organization, much like the Central Park Conservancy. By reforming the AC&C Board and populating it with financially adept, animal-loving New Yorkers, AC&C can play a larger role in its own financing and prevent political deals that shortchange the animals. In addition to a comprehensive citywide spay and neuter program, operating five shelters is the best way to protect our animals and provide them with the best chances for a loving future.



*Assemblymember Rosenthal at the Lincoln Square Business Improvement District's Annual Winter's Eve event. Upper West Side businesses opened their doors to provide the community with hours of food, fun and entertainment.*



## MBR Hearing

Assemblymember Rosenthal at a rally of tenants outside the New York State Division of Homes and Community Renewal hearing convened to determine how much to increase the maximum base rent for rent-controlled tenants. Last session, Assemblymember Rosenthal introduced legislation which would require that rents for rent-controlled tenants be calculated in the same way as rents for rent-stabilized tenants rather than using the current archaic and complicated system.

