



# Community Newsletter

## ASSEMBLY MEMBER DANIEL O'DONNELL

Manhattan Valley ■ Morningside Heights  
Upper West Side ■ West Harlem

WINTER 2010

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

Dear Neighbor,

The 2010 legislative session is underway and I wanted to take this opportunity to update you on issues affecting our community and our state.

Education, including the occasional frictions between charter and public schools, remains a hot topic here in the district. In response to the emerging trend of public school classrooms being given over to charter schools by the city's Department of Education, I and my colleague Assembly Member Keith Wright have introduced legislation which would subject the siting of charter schools in publicly-owned buildings to the city's Uniform Land Use Review Procedure (ULURP). I strongly believe these decisions, which have such great impact on families, should have greater public oversight.

Another of my bills, a common-sense reform of small-town justice courts to protect the civil liberties of defendants, was recently featured in the New York Times. Details, including other legislative priorities, can be read on page two.

I recently wrote Governor Paterson, asking him to abandon the environmental impact statement on drilling in upstate New York's Marcellus Shale formation because it fails to address the safety of our city's drinking water. That same day, I sent a letter to U.S. Senate and House leaders urging federal oversight of hydraulic fracturing, the controversial process by which natural gas is extracted. I already support a ban on drilling in the city's watershed and will continue to work alongside my upstate colleagues to ensure the safety of all New Yorkers.

I am excited to announce an important community meeting on Saturday, March 6th regarding the future of Manhattan Valley. The event aims to bring community stakeholders together to build on the strengths of and create a vision for this vibrant and unique neighborhood.

I am hosting two other events in the upcoming months worth noting. On March 19th, an attorney will discuss legal issues for seniors including wills, healthcare proxies, and medical directives. In mid-March, my 7th Annual Community Reading Challenge starts. This year's challenge is going green, featuring an environmentally-friendly reading list. Streamlined materials will soon be available on my web site and at local branch libraries.

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 to discuss, I have a dedicated housing specialist on staff and host monthly legal clinics for tenants.

I hope you 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*

## O'Donnell Legislation Enhances Community Review of Charter School Siting

During recent community discussions, many area residents and local school community members have expressed deep concern about the decision-making process when New York City Department of Education authorizes charter schools to use public school space. Assembly Member O'Donnell strongly believes that the community should have opportunity for meaningful input in these decisions that most impact schools and local families. To address this issue, he and his colleague Assembly Member Keith Wright have introduced A9845.

This legislation would require full compliance with the city's Universal Land Use Review Procedure (ULURP) before a charter school can be located in New York City owned property, including a public school. ULURP is currently required when city-owned properties are to be sold, transferred, or leased.

The ULURP process includes a specific timeline, review by the local community board, and approval by the City Council. Current law excludes New York City public school buildings from the ULURP process. This bill would require the ULURP process to be applied before changes regarding charter schools are made that affect public school buildings or other city-owned properties.

A9845 would in no way preclude charter schools from using, leasing, or purchasing a Department of Education or other city-owned property, but it would allow parents, the community board and the City Council their proper role in reviewing and approving these changes.

## The Future of Manhattan Valley: A Visioning Event

co-sponsored with Columbus/Amsterdam BID, Pratt Institute, and Municipal Art Society

Red Oak Apartments / Community Room

135 W 106th St (bet. Amsterdam and Columbus Aves)

3:00-5:00 PM

Doors open @ 2:45 PM

Attention Manhattan Valley residents, service providers, and stakeholders: Assembly Member O'Donnell is convening a conversation about the neighborhood and needs your input! Discuss your community, its many strengths, and what improvements you'd like to see. The information you bring to the conversation will be compiled to get a clear picture of what we can all do together to make Manhattan Valley even stronger.

Community members of all ages are welcome. Please spread the word to your friends and neighbors. Young people are especially encouraged to participate – all perspectives are important!

Please RSVP to 212-866-3970.

Spanish translation services will be provided.

See back cover for details about Assembly Member O'Donnell's upcoming elder law event in Central Harlem.

## O'Donnell's Legislative Agenda

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*The New York Times* recently featured an article on one of Assembly Member O'Donnell's bills which would grant defendants in misdemeanor or felony cases the right to appear before a judge who is trained as a lawyer. The bill, A5899, confronts lapses in due process and other violations in New York State town and village courts where non-lawyer judges can preside. These non-lawyer judges may be less familiar with legal and ethical rules, especially in criminal cases where liberty interests are at stake. The bill is an important criminal justice reform.

Besides A5899, O'Donnell has a number of legislative priorities pending, including:

- A202, would authorize no-excuse absentee voting in New York, enhancing voters' ability to exercise their right to vote and helping eliminate long waits at polling places on Election Day;
- A303, requires insurance companies to cover routine HIV testing;
- A1868, allows non-citizen veterans to be eligible to be FDNY firefighters or NYPD officers;
- A1928, ensures that MCIs are calculated as rent surcharges that expire once the project costs are recovered, as opposed to being included in base rents going forward;
- A2080, enhances legal protections for tenants by explicitly including prolonged exposure to known or suspected carcinogens as a basis for an Article 7-A proceeding;
- A2081, guarantees due process for all affected parties during eminent domain proceedings by requiring new public hearings when applicants in eminent domain cases amend or alter proposals after the conclusion of hearings;
- A2365, prevents landlords from evicting tenants who are forced to flee rent regulated units to escape domestic violence;
- A2368, requires health plans to provide insurance coverage for domestic partners, when requested by an employer group or individual purchasing health insurance;
- A2423, exempts senior citizens from sales tax on their telephone service;
- A2445, restores voting rights to parolees, thus facilitating community reintegration and participation in the civic process;
- A2800, establishes the Sustainable Transportation Policy Task Force to provide recommendations on environmentally responsible transportation policy;
- A2991, requires school buildings to be tested for radon;
- A3106, creates a loan forgiveness program for lawyers who serve as criminal defense attorneys;
- A3243, bars discrimination against tenants due to a previous housing court appearance; and
- A7459, enacts the Wireless Telephone Consumer Protection Act, which would enhance consumer protections for cellular telephone customers, including the right to cancel service without any termination fees within 15 days after issuance of the first bill, disclosure of where cell phone service is and is not available, upfront disclosure of monthly fees, taxes, surcharges and additional charges for using the cell phone, a formal customer complaint process at the Consumer Protection Board, and disclosure of the availability of E911 service.

## Historic Preservation Publication Available

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Assembly Member O'Donnell recently produced a brochure highlighting details of the Morningside and West End Avenue Historic District proposals. The mailer featured photographs of significant architecture in the neighborhood as well as the financial and environmental benefits of historic preservation.

Hard copies of *Protecting Community Through Historic Preservation* may be obtained by calling the Community Office at 212-866-3970. An electronic version is available in the "Publications" section of Assembly Member O'Donnell's web site, [www.assembly.state.ny.us/mem/?ad=69](http://www.assembly.state.ny.us/mem/?ad=69).

## O'Donnell Urges Withdrawal of Drilling Impact Statement; Calls Upon Congress for More Protections

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As New York State continues to review the issue of natural gas drilling in the Marcellus Shale formation, Assembly Member O'Donnell has called for a complete ban on drilling in the city's watershed and has been urging the state to more carefully examine the potential impact of any drilling expansion.

Since 2008, Assembly Member O'Donnell has attended multiple public hearings on this topic as a member of the Assembly's Environmental Conservation Committee. At those hearings he aggressively questioned drilling company officials about their refusal to disclose chemicals used in the hydraulic fracturing process.

Most recently, on January 13, 2010, he wrote Governor Paterson urging that the state withdraw the current Supplemental Generic Environmental Impact Statement (SGEIS) regarding drilling in the Marcellus Shale. From O'Donnell's letter:

*"First and foremost, the document fails to adequately acknowledge the tremendous risk of contaminating the watershed that serves New York City and Orange, Putnam, Ulster, and Westchester counties. This natural resource is far too valuable to endanger, and I firmly believe that New York State should implement a permanent ban on drilling in the watershed.*

*"The state needs to devote significant additional time and energy to developing a new SGEIS that looks far more carefully at potential impacts of hydrofracking if expanded at all in New York State. While I understand the pressures that make drilling for natural gas attractive, I urge that New York State proceed with the utmost caution and reexamine this issue. The possible long-term, irreversible environmental and public health repercussions are too great to be overlooked in the name of economic expediency."*

On that same day, he also sent a letter to Majority Leader Harry Reid and Speaker Nancy Pelosi urging Congress to pass the Fracturing Responsibility and Awareness of Chemicals Act (S.1215/H.R.2766), which would repeal the exemption for hydraulic fracturing in the Safe Drinking Water Act, the crucial safeguard of our nation's drinking water supplies. Any proposed drilling sites should be reviewed by the Environmental Protection Agency to ascertain possible impact on our drinking water.

In light of the potentially irreversible environmental and public health repercussions, Assembly Member O'Donnell will continue to follow this issue closely and to work with his Assembly colleagues, including those who represent upstate districts, to ensure the safety of all New Yorkers. The strictest possible review and the implementation of stringent safeguards must be implemented before granting drilling permits.

## O'Donnell Encourages Taxpayers to Apply for Earned Income Tax Credit (EITC)

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The federal EITC is a refundable credit available to working families with incomes up to \$43,279 (\$48,279 for married taxpayers filing jointly), depending on the number of children in the household. Taxpayers with no dependent children can earn no more than \$13,440 (\$18,440 for married taxpayers filing jointly). To qualify for these credits you must have worked at least part of the year.

The EITC provides a much-needed and well-earned boost to hardworking taxpayers. Thousands of New Yorkers may not even be aware that they qualify for these credits which can be claimed simply by filing a tax return.

To learn more about the EITC, please pick up an English- or Spanish-language brochure at Assembly Member O'Donnell's Community Office or visit [www.irs.gov](http://www.irs.gov).

A listing of free tax preparation sites can be found at [www.nyc.gov/ofe](http://www.nyc.gov/ofe).

## Governor Presents 2010-11 Executive Budget

On January 19th, the Governor released his proposed 2010-11 state budget. Assembly Member O'Donnell understands the immediacy of the fiscal challenge facing our state and the tough decisions that will be necessary to close a projected deficit of more than \$8 billion. However, he is also committed to ensuring that any sacrifices do not unfairly burden the most vulnerable among us.

The Assembly Member is deeply troubled by proposed cuts in school aid; proposed healthcare actions that will make it harder for working families and seniors to obtain the healthcare they depend on; and tuition hikes at SUNY and CUNY schools in conjunction with proposed cuts to TAP.

Over the coming months, the Legislature will hold hearings and work with the Governor to meet New York's fiscal obligations. Assembly Member O'Donnell will certainly keep this community's priorities in mind as the 2010-11 spending plan makes its way through the Legislature.

## Tax Penalty and Interest Discount (PAID) Program

The recently enacted PAID program grants a brief opportunity for taxpayers to clear up delinquent tax bills while receiving a reduction of up to 80% of accrued penalties and interest. Please note that bills issued after December 31, 2006 are not eligible for this program.

In order to realize savings, eligible taxpayers must make all payments by March 15, 2010.

Please visit [www.nystax.gov](http://www.nystax.gov) or call 518-457-1726 or 888-272-9697 for more information and instructions.

### Help for Haiti

[www.state.ny.us/governor/press/HelpingHaiti.html](http://www.state.ny.us/governor/press/HelpingHaiti.html)

This web site will direct you to several charitable organizations collecting donations if you would like to assist Haiti in its hour of need.

While Assembly Member O'Donnell ordinarily refuses honorariums for speaking engagements and appearances, this year he will donate all honorariums to Red Cross relief in Haiti.



*Assembly Member O'Donnell meets with children at PS 145 as they consider which philanthropic organizations to fund with their Penny Harvest proceeds. Each year, Common Cents organizes the penny drive in elementary schools and empowers the children to decide how to donate the money.*

## RENTERS' CORNER: Attention Market-Rate Tenants

In the recent court decision, *Roberts v. Tishman Speyer Properties, L.P.*, the highest court in New York State ruled that the owners of Stuyvesant Town and Peter Cooper Village had improperly deregulated thousands of rent stabilized apartments. The court found that the owner, while benefiting from a tax abatement program known as J-51, should not have deregulated apartments, denying tenants the protections required under the rent stabilization law.

Market-rate tenants residing in buildings throughout New York City whose landlords benefited from the J-51 tax abatement program are now organizing to further determine their rights as a result of the Roberts decision. I refer all of my constituents who are market-rate tenants, or who have been offered a market-rate lease, to the "Publications" section of my web site to ascertain from a posted list whether your building's owner benefited from receiving a J-51 tax abatement. If you find your building on the posted list, I encourage you to call my Community Office for further assistance.

[www.assembly.state.ny.us/mem/?ad=69](http://www.assembly.state.ny.us/mem/?ad=69)

## Assembly Member O'Donnell Attends District 3 Early Childhood Learning Celebration



*O'Donnell speaks about the importance of creative and dedicated educators who have such a positive impact on our children.*



*The Assembly Member engages school staff and parents.*



*O'Donnell and the event's keynote speaker Dr. Peter L. McFarlane, principal of PS/IS 180.*

# Free Legal Clinic for Tenants

Assembly Member O'Donnell will host opportunities for constituents with housing issues to consult a volunteer attorney. To make an appointment for one of these evening events, please call 212-866-3970 and speak with Joyce Goodman.

**March 25th / April 29th / May 27th / June 24th**

## Thank You!

Assembly Member O'Donnell's New York Cares Coat Drive collection was a great success. The community donated 143 coats—nearly 25% more than last year!

The Call to Protect Cell Phone Drive was equally successful. The 67 collected cell phones will act as crucial lifelines for survivors of domestic violence. Assembly Member O'Donnell would especially like to thank the William F. Ryan Health Center for donating a collection of used employee cell phones

Thank you to everyone who donated a coat or cell phone and participated in these important community events.

## Harlem Restaurant and Retail Week

Through March 15th, support your local restaurants and retailers and enjoy special pricing on meals and select items. Participating locations will donate \$1 of each purchase to UNICEF for Haiti relief efforts.

For more information and a list of participating businesses, please visit [www.harlemparktopark.org/promotions.html](http://www.harlemparktopark.org/promotions.html).

## Seniors and the Law:

### *A Discussion About Wills, Healthcare Proxies, and Medical Directives*

*Co-Sponsored with*

*Assembly Member Keith L. T. Wright*

**Friday, March 19th 11:30 AM**

**Harlem Branch Library**

**9 West 124th Street (bet 5th and Lenox)**

Come hear a seasoned attorney speak about topics of special interest to senior citizens, including:

- Do I need a will?
- What information goes into a will?
- Where should I keep my will and/or valuables?
- Do I need a healthcare proxy?
- Do I need a medical directive?

Get answers to these and other legal questions and find out about community resources.

**Refreshments will be served.**

**Harlem Branch Library is fully wheelchair accessible.**

## E-Newsletters

Sign-up for monthly e-newsletters with the latest event and community calendar information by emailing: [odonnell@assembly.state.ny.us](mailto:odonnell@assembly.state.ny.us).

## April & May Book Drive

Assembly Member O'Donnell is sponsoring a book drive to benefit Project Cicero, an organization which distributes books to public school teachers and classroom libraries. Since 2001, Project Cicero has placed over 1,000,000 books in more than 5,500 New York City classrooms. For more information, please visit [www.projectcicero.org](http://www.projectcicero.org).

During the months of April and May, please donate gently-used hardcovers and paperbacks for children and young adults at:

**Assembly Member O'Donnell's Community Office**  
245 W. 104th St. (bet. Broadway & West End Ave.)

**9:00 AM – 5:30 PM**

## 7th Annual Reading Challenge

Attention all readers, pre-K through 8th grade! Assembly Member O'Donnell's Seventh Annual Reading Challenge will begin in March! Read your way towards a New York State Assembly certificate and lively book festivals.

This year's challenge has gone green! Every book has a pro-environment or nature theme. And, as always, the reading lists include bilingual and Spanish titles for Spanish-speaking readers.

In mid-March, look for more information at these participating New York Public Library branches:

- Bloomingdale, 150 W. 100th Street  
212-222-8030,
- George Bruce, 518 W. 125th Street  
212-662-9727, and
- Morningside Heights, 2900 Broadway (@ 113th)  
212-864-2530

For more information, please call 212-866-3970.

## ¡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 104<sup>th</sup> Street, cerca de Broadway. También pueden llamar a la oficina en horas laborales al (212) 866-3970.

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

**COMMUNITY OFFICE INFORMATION:**  
Open Monday through Friday  
9:00 AM - 5:30 PM  
212-866-3970  
[odonnell@assembly.state.ny.us](mailto:odonnell@assembly.state.ny.us)



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