



NEW YORK STATE SENATOR

Thomas K. Duane

## April 2009 Community Report

THOMAS K. DUANE April 29, 2009

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Dear Neighbor:

The following is a summary of some of my office's activities since my last community report:

#### **Announcing Passage of New York State's Health Budget**

Although the receding economy and significant deficit have made this a difficult year to assume the helm of the New York State Senate Health Committee, I am proud to have been able to secure necessary and critical healthcare funding in New York State's 2009-10 Budget.

I am proud that we were able to restore over \$800 million in healthcare cuts that had been proposed by the Governor. Making sure New Yorkers have access to quality healthcare has been a priority for me throughout my career and I fought hard to try to make healthcare in this state more affordable and accessible. Restoration of such programs as the New York State Elderly Pharmaceutical Insurance Coverage (EPIC) "wrap around," which pays for

needed drugs not covered by Medicare Part D plans, as well as new allocations for community-based health clinics, will certainly help save lives.

Highlights of the healthcare budget include:

- A new initiative the Senate fought for and won, which will provide \$127 million in funding to support community-based health clinics.
- Reforms to the healthcare system to shift away from the expensive model of treating people after they have become ill to preventative care. As part of this reform, over \$500 million in transitional funding has been provided to ease the changes healthcare facilities will make.
- \$75 million in new money for hospitals statewide as well as \$25 million for academic medical centers, \$24.5 million for safety net hospitals and \$24.2 million for high-Medicaid hospitals.
- Preservation of the EPIC wrap-around coverage for prescription drugs not covered by Medicare drug plans.

As an advocate for access to primary care and preventative medicine, ensuring that we use our Medicaid dollars as wisely as we can in these difficult economic times was priority for me in this budget. I believe that we have made hard decisions that will break down barriers to treatment for New Yorkers and will ultimately set us on a more sustainable path for healthcare in New York State.

## **Demanding DHCR Protect Rent Stabilized Tenants in J-51 Buildings**

On April 1, I joined 14 of my colleagues in government in writing to New York State Department of Housing and Community Renewal (DHCR) Commissioner Deborah

VanAmerongen regarding the recent unanimous Appellate Division ruling in Roberts vs. Tishman Speyer that effectively applies rent stabilization to all units in buildings accepting New York City J-51 tax benefits (J-51 buildings). While this decision is being appealed to the Court of Appeals, we asked that DHCR move to stop any deregulation proceedings currently ongoing in J-51 buildings; notify tenants in such buildings citywide of the possible effect of the ruling on their regulation status; explain the possible consequences for tenants who move to assert their rights; and develop a policy regarding former tenants of J-51 buildings whose evictions may have been illegal. Please see the April 5 Daily News article [Boon for tenants bane for landlords](#), in which I was quoted, that explains the possible effects of the court decision.

## **Advancing in the Fight for Marriage Equality**

On April 16, I stood with Governor David Paterson as he publically announced that he would introduce an Executive Program Bill to allow same-sex civil marriage in the State of New York. This was a proud moment for me and the entire Lesbian, Gay, Bisexual and Transgender (LGBT) community. I guarantee in the near future that I will stand yet again with the Governor as he signs this bill into law.

I was joined at this press conference by a large number of labor leaders, advocates, and many of my colleagues in government, including New York City Mayor Michael Bloomberg, New York City Council Speaker Christine Quinn, Assemblymember Daniel O'Donnell and Empire State Pride Agenda Executive Director Alan Van Capelle.

I believe that the days in which New York's lesbian and gay couples are subjected to unequal treatment under the law are quickly coming to a close. The momentum created by the Iowa Supreme Court decision and the Vermont legislature's overwhelming vote and veto override

to recognize marriage equality has put the spotlight on New York to do the same.

The Governor's marriage equality Program Bill recognizes the fundamental civil right of marriage and would grant same-sex couples the same legal recognition afforded to partners of the opposite sex. As I said on the day of the event, and as has been evidenced by the years in which the LGBT community has fought for equality, it will take hard work – and it will take support from both sides of the aisle. This is an exciting and historic time in the State Senate and I and my colleagues are working hard to make civil marriage a reality for all New Yorkers.

### **Submitting Testimony on the Eastern Rail Yards**

On March 31, I submitted [testimony](#) regarding proposed text amendments to the Eastern Rail Yards zoning to the New York City Council Subcommittees on Planning, Dispositions & Concessions and Zoning & Franchises. While I continue to have reservations on several items, I am supportive of these amendments and other changes that have been made to the plan. I would also like to recognize the role that CB4 has played in improving the design through its intelligent and persistent advocacy.

### **Addressing Outdated Zoning in the West Village**

Although much of the area East of Washington Street lies within the Greenwich Village Historic District and development therein is overseen by the New York City Landmarks Preservation Commission (LPC), members of the community have raised concerns that LPC's oversight is not by itself sufficient to maintain the area's character. On April 1, my office participated in a meeting arranged by Community Board 2 with New York City Department of City Planning (DCP) and the other local elected offices to discuss rezoning

the area loosely bordered by Washington Street, W 10th Street, Greenwich Street and W 12th Street, which is currently a commercial C6-1 zone. DCP agreed to maintain an open dialogue with Community Board 2 and to begin surveying the area in question. I look forward to continuing to work with DCP and the community to ensure that the C6-1 area is rezoned to encourage contextual development in the future.

### **Finding Solutions to Chelsea Community Complaints on Nightlife**

I would like to thank Manhattan Community Board 4's Business Licenses and Permits Committee for convening a community meeting regarding complaints about nightlife on West 17th Street between Ninth and Tenth Avenues. My office joined representatives of CB4, other local elected officials, neighborhood residents, and management from the area's nightlife establishments – including 1OAK, The Park, and the soon-to-open Marquee (formerly Earth) – to discuss the problems and explore possible solutions. Common ground was found on a number of issues, including the need to relocate construction equipment on the street, increase enforcement, and possibly institute new parking regulations. I am hopeful that continued communication and cooperation will lead to a more beneficial situation for all.

### **Moving Forward with the Western Segment of the South Village Historic District**

On May 12, I will be co-hosting, along with the New York City Landmarks Preservation Commission (LPC) and the other local elected officials, a meeting with property owners to discuss designating a portion of the proposed South Village Historic District. I am grateful to LPC for moving ahead with this designation, for which I have long advocated, and am

excited that we are one step closer to calendaring this section of the proposed historic district.

## **Joining the West End Preservation Society's Fight for a West End Historic District**

I recently joined other elected officials representing the Upper West Side in supporting the request by the West End Preservation Society to the New York City Landmarks Preservation Commission (LPC) for consideration of the West End Historic District. This designation would preserve the architecturally and historically significant residential buildings and churches along West End Avenue from 70th Street to 107th Street.

## **Bringing New York Maple Production to NYC Schools**

On April 8, I sponsored a presentation by the Vernon-Verona-Sherill Future Farmers of America (V.V.S. FFA) of its mobile maple exhibit to 2nd through 5th graders from P.S. 19 Asher Levy School. V.V.S. FFA, an upstate branch of a national organization of agricultural students, teamed up with the New York State Maple Producers Association to teach school children about maple syrup production in New York. The exhibit engages students in an interactive demonstration of the five steps of maple production, from the tapping of maple trees to the reverse osmosis that reduces sap into delicious maple syrup. Currently, New York produces more maple syrup – a remarkably sustainable natural resource?than any other state in the nation except Vermont!

## **Remembering David Smith**

I was saddened to learn that on March 14, my friend and personal hero David Smith of Chelsea's Mutual Redevelopment Houses ("Penn South") passed away. David was a giant in

the housing advocacy community who will always be remembered for his leadership in the national cooperative housing movement, his commitment to keeping Penn South affordable for middle-income New Yorkers, and his efforts to protect the seniors living there through the establishment of Penn South Program for Seniors, the first such program at a Naturally Occurring Retirement Community (NORC). My thoughts are with his daughters, Karen and Abby, his grandchildren Jesse and Sonja and the rest of his family. On behalf of the thousands of New Yorkers whose lives he bettered, I want to pay tribute to David for his incredible contributions.