

THREE PARKS INDEPENDENT DEMOCRATS

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President

Daniele Gerard

Editor

Lauren Williams
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District Leaders

Bob Botfeld
Cynthia Doty

State Committee

Lynn Thomas
Daniel Marks Cohen

APRIL 11, 2012

FEATURED TOPIC & SPEAKERS: CANDIDATES FORUM: STATE SENATOR BILL PERKINS, STATE SENATOR ADRIANO ESPAILLAT (invited), ASSEMBLY MEMBER DANIEL O'DONNELL, BARBARA JAFFE and RITA MELLA FOR SURROGATE'S COURT (voting to take place on May 9th)

DATE: WEDNESDAY, APRIL 11th

TIME: 8:00 PM

PLACE: The Youth Hostel
891 Amsterdam Avenue at 103rd Street

ROOM: Chapel/Ballroom

AGENDA

7:45 PM Sign-in
8 PM Call to Order

1. President's Report & Announcements
2. District Leaders' Reports
3. Senator Perkins, 30th SD
4. Senator Espailat, 31st SD (invited)
5. Assembly Member O'Donnell, 69th AD
6. Candidates for Surrogate's Court
7. New Business
8. Adjournment

CALENDAR

Wednesday, April 25, 2012
Three Parks Board Meeting, 8 PM
Place: Youth Hostel, 891 Amsterdam Ave. at 103rd St.

Wednesday, May 9, 2012
Three Parks Meeting, 8 PM
Place: Youth Hostel, 891 Amsterdam Ave. at 103rd St.

Wednesday, May 23, 2012
Three Parks Board Meeting, 8 PM
Place: Youth Hostel, 891 Amsterdam Ave. at 103rd St.

Wednesday, June 13, 2012
Three Parks Meeting, 8 PM
Place: Youth Hostel, 891 Amsterdam Ave. at 103rd St.

President's Column

By Daniele Gerard

Now that primary dates have been decided, Three Parks is back on schedule—the club had its second endorsement meeting on March 28 to hear from Lynn Thomas and Daniel Marks Cohen, unopposed candidates for State Committee, and Anil Singh, Melissa Crane, and Verna Saunders, candidates for Civil Court. We also heard from other candidates no longer running for Civil Court: Jeannette Rodriguez-Morick, JJ Kelley, and Olga Statz.

The meeting featured a lively discussion by the membership about the candidates for Representative Jerry Nadler's new congressional district 10 and Representative Charlie Rangel's new district 13. Results appear elsewhere in the newsletter. The club also voted to endorse Senator Kirsten Gillibrand.

On April 11, we will hear from State Senator Bill Perkins and Assembly Member Daniel O'Donnell, who are both running unopposed for their seats; State Senator Adriano Espaillat has also been invited. The two-person race for Surrogate's Court will feature remarks from sitting judges Barbara Jaffe and Rita Mella.

Eligible members will vote for all remaining offices at the May 9 club meeting.

At this newsletter goes to print, the club's fundraiser has not yet occurred, but we are all looking forward to it!

Harlem Success Academy – Bait and Switch

By Elizabeth Kellner

The controversial Harlem Success Academy network of charters is engaged in a "re-branding effort." It has recently sought permission from the SUNY Charter Schools Institute and DOE to change its name by dropping "Harlem" from the various school titles and simply calling them "Success Academy." Those closely following Success's ambitious expansion plans throughout the boroughs, and particularly and most recently into the Upper West Side and Williamsburg communities, should not be surprised. However, the more insidious and shocking change for which Success seeks approval is amendment of the actual charters governing the admissions policies of 11 of their elementary schools in Manhattan, Bronx and Brooklyn.

Success's original applications for these charters were granted based upon a policy which gave an absolute preference in the admissions lottery to children zoned to attend a "failing" NYC public school and English Language Learners (ELL). That's what you would expect, right? This laudable objective is what won the Success network and other charters considerable support from government,

philanthropists, educational policy experts, and media, not to mention concerned parents of disadvantaged children with the greatest needs looking for better schools. Success now seeks to eliminate entirely the "at-risk" preference and amend the absolute ELL preference to a variable ELL "set-aside" of 20 percent. They also want approval to adjust that 20 percent set-aside in future years based upon a variety of factors – in other words, it could go up, but it could also go down.

What is the effect of these proposed changes (which the SUNY Charter Institute has already advised they intend to approve)? Quite simply, it allows Success to free up many more seats to be available to more affluent children in more affluent communities where they will no doubt be siphoning away students and families from thriving existing public schools. Success's continued expansion and the broader policy objective of many of the charter movement's "1 percent" supporters to increase privatization of public education with the attendant weakening of community input, political accountability, and a unionized workforce, is dependent on expanding the parent constituency supporting charter growth to include more affluent families in gentrified and gentrifying neighborhoods.

If you have ever attended a rally/protest/hearing on a controversial charter issue, you will know that a familiar chant by the charter supporters is "Charter schools are public schools!" Well, I beg to differ – the only thing "public" about them is that they take taxpayer money. If that becomes the threshold for what qualifies as "public," the bar has been set very low indeed – a meaningless label which obscures the reality that we have lost control of our children's education.

Stop the Spectra Pipeline

By Steve Max

Spectra Energy Corp., through its subsidiary Texas Eastern, proposes to build a pipeline that will bring fracked Marcellus Shale gas contaminated with radioactivity in the form of radon to all five boroughs of New York City. Designed to cross under the bike path and West Side Highway to an underground vault adjacent to the new Whitney Museum and the High Line Park and running within 300 feet of a large waterfront playground, the pipeline endangers all residents of the Marcellus Shale territories and specifically residents, business owners, and visitors in the West Village, Staten Island, Jersey City, Bayonne, and Hoboken.

Spectra is seeking a 30-year easement on land and under water from the Hudson River Park Trust (HRPT) to lay the pipeline. The deadline for public comment on the proposed easement is April 25. Three Parks will be tabling on this issue on Sunday, April 15 and Saturday, April 21, so look for

sign-up sheets at the meeting and upcoming e-mail blasts with all the details.

Spectra has a terrible safety record, having been cited by federal regulators for 17 safety violations in June 2011. A long history of problems such as explosions at its Moss Bluff, Texas facility, PCB releases that garnered a \$15 million EPA fine, and blowouts at its Steckman Ridge, Pennsylvania compressor station are only a handful of problems the company has created.

We call on our elected officials to demand that all involved agencies, including the HRPT, the NYS Department of Environmental Conservation, the NYC Department of Transportation, the Federal Energy Regulatory Commission, and the Army Corps of Engineers, deny permission of any type for the proposed pipeline. A project this dangerous should simply not be built in such a densely populated metropolitan area, especially when safer and cleaner alternatives, including conservation, are available.

Please visit threeparksdems.org and click on "Gas Drilling" to download a letter to Governor Cuomo, Borough President Stringer, and others calling on them to deny all permissions for the Spectra Pipeline. Make your voice heard now, before it's too late!

Does New York City Really Want to Increase Its Reliance on Fracked Gas?

By Daniele Gerard

Three Parks urges our elected officials at the local and state level to hold hearings and public forums regarding building conversions to cleaner heating sources before plunging headlong into reliance on another fossil fuel with proven devastating consequences.

On March 6, Cynthia Doty and I attended a panel discussion on conversion from No. 6 heating oil to alternatives. We were appalled at the overwhelming emphasis on natural gas as opposed to No. 2 oil, biodiesel, or solar options, and at how quickly these conversions are proceeding. The law requiring buildings in the five boroughs using No. 6 oil to switch to a cleaner alternative is a landmark advance—but it does not mandate a rush to benefit the natural gas industry to the exclusion of green alternatives and to our detriment.

Opposition to using gas can and should speed up implementation of a renewable energy policy for our city and state. We must put pressure on our elected officials to (1) wean us from fossil fuels, (2) develop a realistic plan to leapfrog from oil to renewables, and (3) retrofit city buildings to be heated with renewable energy without building the infrastructure for gas—and certainly not the Spectra Pipeline! The deadline is 2030 to stop using heavy oils to help reduce greenhouse gases by 30 percent below 2005 levels in accordance with PlaNYC. Surely we can get renewables up

and running by then. In the meantime, ongoing and further conservation and efficiency measures could greatly reduce energy use by an estimated 20 percent.

Members of co-op and condo boards and individual landlords would be wise to consider the following three points before considering conversion to gas:

First, the vast majority of natural gas in the United States is extracted by hydraulic fracturing, which has proven to be an ecological and health disaster in every state it has been used. Moreover, once New York City's need for fracked gas grows, won't that heighten calls for fracking in the Marcellus Shale and put the water, air, and food supply of millions at risk?

And for what? The U.S. Geological Survey estimates that the Marcellus contains nearly 80 percent less extractable gas than previously projected by the oil and gas industry. Other studies show that nationwide, there may be as little as 11 years' worth of natural gas. And none of the shortsighted action that Con Ed and its partner, the Environmental Defense Fund, are taking to expedite conversion to natural gas recognizes the grossly fluctuating price of natural gas—or the likelihood that it will become more expensive as supplies dwindle.

Second, what about the increased danger New Yorkers will be exposed to by a dramatic expansion of (1) the number of natural gas pipelines under our streets and (2) the volume of gas necessary for heating, which is highly toxic and vulnerable to explosions? Currently, we only pipe in enough for stoves. Ten thousand city buildings must convert from No. 6 oil under the new rules; many of them are located on the Upper West Side and Upper East Side. Most residents are unaware of the short- and long-term risks and seem focused only on the current lower cost of natural gas. But to spend money (estimates start at \$150,000) and one to two years on converting to yet another fossil fuel in huge quantities can only be self-defeating. For example, co-ops might not have money to convert to renewables and would not want to go through the process again in what could be only a few years.

Third, experts have confirmed the likelihood that shale gas from the Marcellus will deliver radon into residences at the point of use. A cancer-causing, radioactive gas, radon is the second leading cause of lung cancer; it is released and mixes with methane during the extraction process. Not only is the Marcellus Shale far more radioactive than other, more distant shale plays, but also its proximity to New York City means there is less time for the radioactivity to decay in transit.

Therefore, it certainly seems to make more sense to convert buildings from No. 6 heating oil to No. 2 oil or biodiesel while we prepare for future conversion to cheaper, cleaner, and

environmentally safe technologies now being developed. Biodiesel is readily available; solar thermal and solar electric are also viable alternatives for some buildings.

For more information, please visit threeparksdems.org and click on "Gas Drilling." Please also mark your calendars now for "Frackonomics: Debunking the Financial Myths of Shale Gas and Embracing a Green Energy Future," a panel featuring a leading financial expert, an economist, and a former NYS DEP Commissioner on Tuesday, April 24 at 6:45 p.m. at Ethical Culture, 2 West 64th Street.



Three Parks petitioning on March 31 with our newly redistricted Representative Jerry Nadler

Endorsement Vote Results from March 28 Special Club Meeting

In a special club meeting called to accommodate the hurried and shortened primary schedule and petition process, Three Parks members voted to endorse the senate and house candidates for the June 26, 2012 primary. The results of the endorsement vote were:

United States Senator for New York

Kirsten Gillibrand	58
No endorsement	7

United States Congress 10th CD

Jerrold Nadler	63
No endorsement	2

United States Congress 13th CD

Charles B. Rangel	41
Joyce S. Johnson	10
Adriano Espaillat	9
Vincent Morgan	0
Craig Schley	0
Clyde Williams	0
No endorsement	9

Proposed Resolution on Killing of Trayvon Martin

From time to time, Three Parks introduces resolutions to enable the club to work formally on various issues, for example, health care/single payer, Social Security, fracking, and Indian Point. Below for consideration by the membership is a proposed resolution on the killing of Trayvon Martin. It will be read, discussed, and voted on at the April 11 club meeting.

Whereas the killing last month of an unarmed Florida seventeen year old named Trayvon Martin is a tragedy that has yet to be adequately investigated, and

Whereas Trayvon's family and the country need to know the full truth of what happened on the night of February 26, 2012 as well as in any investigation that followed in the weeks since, and

Whereas Florida's "Stand Your Ground" law and its enforcement need to be reviewed since the policy encourages citizens to take up arms against their neighbors and engage in vigilante actions, and

Whereas the killing of Trayvon Martin reveals the all too frequent tendency to racially profile young men of color and suspect them of criminal activity, and

Whereas as residents of New York City we understand the danger of escalating violence and mistrust caused by racial profiling since we are keenly aware of the injustice and disproportionate impact NYPD's implementation of it's "Stop and Frisk" policy has had on young men of color in our communities, therefore

We, the Members of Three Parks Independent Democrats fully support the Department of Justice's decision to investigate this case, and demand that anyone found guilty of wrongdoing be held accountable and punished, and we call for a thorough review of "Stand Your Ground" laws nationwide and the "Stop and Frisk" policies in New York City, and we call for a national examination of the various patterns of racial profiling young men of color in our current society.

Update: Jewish Home Life Care Building Proposal

By Cynthia Doty

The City Planning Commission voted unanimously with one abstention to approve the JHL application to build a new nursing home on West 97th Street despite strong community opposition. CB7 had voted against the application and over 50 community members attended the City Planning meeting. One commissioner requested more time to review the materials and when denied she abstained.

Several community groups are meeting to plan any possible next steps.

Results from the Election of Judicial Delegates and Alternates at March 14 Club Meeting

The following were elected as Judicial Delegates :

Alan Flacks
Milivoy Samurovich
Theresa Canter
Corine Pettey

Elected as Judicial Alternates were the following:

Elizabeth Kellner
Merle McEldowney
Bruce Markens
Stephanie Tegnazian.

West End Avenue Historic Designation Update

By Cynthia Doty

The date scheduled for the first Landmarks Preservation Committee (LPC) designation vote is June 26, 2012. Due to the large number of properties and the research involved, the LPC will vote on each extension separately, in the same order they held the public hearings.

The Commissioners will vote on the Riverside-West End Historic District Extension I which includes the area from West 79th Street to West 87th Street on West End Avenue, the west side of Broadway (with some exclusions), and Riverside Drive from West 81st Street – West 85th Street. It also includes the majority of the cross streets from Riverside Drive to the west side of Broadway from 79th to 87th Streets.

Only the Commissioners can change the proposed boundaries or exclude any buildings and they would have to do that at a Public Meeting, at the time of the vote. This means it is possible for changes to occur on the day. While nothing is final until that vote, we have been told that the LPC staff recommended these boundaries remain as proposed.

We are hopeful the other two sections will find a scheduled voting date on the LPC calendar before the end of 2012.

Even if that is the case, the finalization of each designation has a separate time clock.

WEPS, The West End Preservation Society, remains optimistic that the LPC will designate the proposed district extensions, most especially West End Avenue, and, that upon review the NY City Council will approve or uphold those designations. Check it out at our next meeting.

A New Neighborhood Addition

By Cynthia Doty

Hostelling International New York recently installed a permanent display in the youth hostel's lobby area detailing the history of its landmarked building, originally erected in 1883 by the Association for the Relief of Respectable Aged Indigent Females. Designed by Richard Morris Hunt, the building was saved in the 1970s by Columbia University students when it was threatened with removal by the Association's Board, as it had outlived its usefulness as a home for elderly women. After a long period of abandonment, the building reopened in January 1990 by Hostelling International USA as the first official youth hostel in New York City. It is now the largest youth hostel in North America and one of the most successful in the international hostel network.

The display's story was written by Pam Tice, first director of the hostel, based on the lecture she gave on the building's history in 2010 for the Park West Neighborhood History Group. The display was designed by Susan Spivack Design and fabricated by Color Edge.

Pam Tice notes, "The Hostel's interest in creating this display has been gratifying. This is an important New York City building, hosting thousands of young visitors from all around the world, and now the story of its preservation will be part of their visitor experience."

Since the exhibit is in the lobby of the hostel, it is readily available for public viewing.

State Committee Report

By Daniel Marks Cohen

We are STILL in the middle of the redistricting mess, now with little time to resolve it. As I mentioned in my last column, the New York State Senate Democrats filed a lawsuit challenging the way the majority Senate Republicans had drawn the district maps to create an additional 63rd seat to preserve, and potentially enhance, their one-vote control of the State Senate. I was the lead plaintiff of the suit – Cohen v. LATFOR (acronym for the legislature's task force on redistricting). The suit was thrown out of court by Judge Rick Braun on the grounds that the legislature had not passed the law creating the additional senate seat.

The legislature has now acted, and the lawsuit has been re-filed. I am again the lead plaintiff, except the lawsuit is now suing the governor and the legislature and is called Cohen v. Cuomo. The suit is again before Judge Braun; and whether he agrees with its legal premise or not, it will inevitably be appealed by the losing side. Once it gets to the Court of Appeals (the highest court in the state), which could be in a few weeks, there will be even less time to resolve the issue of the legality of that 63rd seat.

It is likely that the September primary for all state legislative offices will remain in effect since petitioning for Congress has begun and the chaos of moving things back to June to coincide with the federal primary is essentially impossible. The cost estimate for FOUR election days (April – GOP presidential, June – Congress, September – everything else, and November – Election Day) for the state is \$50 million. Moving the September primary to June might have saved at least \$10 million; but because of the redistricting mess, the state will waste precious resources while the GOP's proposed extra seat is litigated.

Once legality is determined, it is likely that the same group of federal judges and experts that drew the congressional lines will draw the state lines. Someone at a club meeting asked about compliance with the Voting Rights Act rules on protecting minority voters. I am advised that the lines will be in compliance if the federal judges draw the lines.

Last month I testified before the federal panel about the congressional lines; and, the plan does not including Manhattan Valley in the 10th District (the new Nadler seat) as the rest of the Upper West Side, it still is a better plan than any the state legislature has proposed in 30 years. If this same group redraws 62 seats for the State Senate, we will be fine until 2020 when we do this madness all over again.

I see a proposal floated to have the legislature create a panel as a sham since it would still be controlled by the legislative leaders and would mean nothing changes. Other rumors have Cuomo cutting a budget deal to allow the legislature to continue to draw its own lines. This lawsuit is just the beginning since there are others pending, so hopefully we can change this process to be truly independent once and for all.

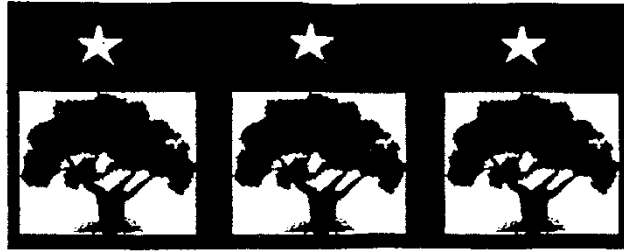
The following is an excerpt from my testimony at the Federal Redistricting Hearing on March 14:

Good Afternoon, your honors. My name is Daniel Marks Cohen, and I am the New York State Democratic Committeeman representing the 69th Assembly District of Manhattan's Upper West Side in the New York State Democratic Committee.... The part of the Upper West Side I live in – between 96th Street and 125th Street – is the poorest portion of the 69th Assembly District (<http://zipskinny.com/zipcompare.php>), the least served in

terms of services and transportation (<http://www.straphangers.org/pokeyaward/10/>), and has more crime (http://www.nyc.gov/html/nypd/html/crime_prevention/crime_statistics.shtml).

I believe at least one reason for its consistent and uneven status is that fact that the West Side is cut up into multiple pieces – particularly the northern end of the district – including TWO congressional districts: the 8th...and ...the 15th; TWO assembly districts...the 69th and...the 67th; THREE State Senate districts: ...the 29th, ... the 30th, and...the 31st; and FOUR City Council districts: ...the 6th, ...the 7th, ...the 8th,and...the 9th. With ELEVEN different elected officials representing one community at three different levels of government, it is no wonder that people get confused about whom to talk to about one issue or another. And it lets elected officials off the hook with matters that are at the fringes of their districts or uncertain if their origin in their district or another or overlapping districts. What is clear is that if everyone is responsible **then no one is responsible**.

So I applaud that the court has done what the legislature has refused to do with regards to Manhattan's West Side. By finally encapsulating the vast majority of the West Side into one Congressional district – in this case, the new Nadler 10th District – it has righted a wrong that has persisted for decades. My parents have lived at 99th Street and Riverside Drive for over 40 years, and just in the past 20 years have been represented by three different currently serving members of Congress due to the redrawing of the lines. The changes to the borough, and the city at large, have been significant, but not so much that such changes have been justified. It is gerrymandering and political shenanigans. This kind of a willful disregard for natural neighborhoods and communities cannot lead to quality political leadership, or consistent civic participation, if there is no continuity from year to year. I hope that the state legislature takes the example of the Magistrate in their plans for drawing the senate and assembly lines, and similarly, that the city council also is inspired by those more compact and rational lines. Under today's plan the West Side is now represented by now only TEN elected officials and I believe that is progress. I congratulate the judges on their decisions, and Godspeed your plan....



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Three Parks Independent Democrats
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New York, N.Y. 10025

NEXT MEETING

WEDNESDAY, APRIL 11

**STATE SENATOR BILL PERKINS,
ASSEMBLY MEMBER DANIEL O'DONNELL
and other candidates for the 2012 elections**