

## THREE PARKS INDEPENDENT DEMOCRATS

Cathedral Station • P.O. Box 1316 • New York, N.Y. 10025 • (212) 539-7602

Website: ThreeParksDems.org • Email: ThreeParksDems@aol.com

### *President*

Lauren Williams

### *Editors*

Lorraine Zamora  
lzamora245@gmail.com  
Jock Davenport  
kentuckynotslim@gmail.com

### *District Leaders*

Bob Botfeld  
Cynthia Doty

### *State Committee*

Lynn Thomas  
Daniel Marks Cohen

## CLUB MEETING, MAY 13, 2015

### Topic:

***UNDER SIEGE AGAIN: AFFORDABLE HOUSING AND REZONING IN POLITICAL SPOTLIGHT***

### Speakers:

HON. KEITH L. T. WRIGHT, New York State Assemblyman, Assembly District 70; Chair of the Housing Committee; and Chairman of the New York County Democrats

HON. GALE A. BREWER, Borough President of Manhattan

A REPRESENTATIVE from the New York City Planning Commission

DATE: Wednesday, May 13, 2015

TIME: 8:00 PM

PLACE: The Youth Hostel, 891 Amsterdam Avenue at 103rd St., Soho Room

### AGENDA

- 7:45 PM Sign-in
- 8:00 PM Call to Order
- 1. Candidates for Judicial Delegates
- 2. District Leader Reports
- 3. Speakers: Hon. Keith Wright, Hon. Gale Brewer, and a City Planning Commission Representative: *Under Siege Again: Affordable Housing and Rezoning in Political Spotlight*
- 4. Adjourn

### CALENDAR

- Wednesday, May 13, 2015, 8:00 pm**  
Three Parks Membership meeting  
The Youth Hostel, 891 Amsterdam Avenue
- Wednesday, May 27, 2015, 8:00 pm**  
Three Parks Board Meeting  
The Youth Hostel, 891 Amsterdam Avenue
- Wednesday, June 10, 2015, 8:00 pm**  
Three Parks Membership meeting  
The Youth Hostel, 891 Amsterdam Avenue
- Wednesday, June 24, 2015, 8:00 pm**  
Three Parks Board Meeting  
The Youth Hostel, 891 Amsterdam Avenue
- July 2015, 5:30 pm**  
Specific date to be confirmed  
Annual Three Parks Summer Picnic, Central Park

## President's Report

By Lauren Williams

Three Parks Education Committee co-chairs Bruce Markens and Elizabeth Kellner provided excellent speakers for our April meeting to address why public education is in jeopardy. Leonie Haimson, executive director of Class Size Matters, and Shino Tanikawa, head of District 2 Community Education Council (CEC2), provided informed national and local perspectives on the growing number of charter schools (including the probable outcome of the proposed increase in the charter cap), expanding the use of high stakes tests that could become a larger part of the teacher evaluation process, annual battles over education budgets that pit regular schools against charter schools for limited funds, and the impact of the business sector and wealthy individuals through their selective support for education. They also cited the well organized community of charter school parents as a challenge for public schools whose parents and communities are most often more diverse and less cohesive. They acknowledged the importance of local community members support and involvement in schools, including those with no school-age children.

We also were fortunate to have Assembly member Daniel O'Connell provide an update on happenings in Albany. He spoke about increases in the education budget and funding for repairs in New York City Housing Authority properties as well as the continuing consideration of rent regulation laws. As customary, our members engaged our speakers with thoughtful follow-up questions and comments that brought a content-rich meeting to a close.

Our May meeting will open with speeches from the six candidates for Judicial Delegate. Brief candidate statements are elsewhere in the newsletter. Three Parks members eligible to vote will elect three Judicial Delegates and three Alternate Judicial Delegates. Candidates for Male District Leader and Female District Leader also will speak.

Assemblyman Keith Wright, District 70, will be our first presenter and will report on New York County Democratic Party activities and New York State Assembly legislation, especially rent regulation. Also invited are the Hon. Gale A. Brewer, Borough President of Manhattan, and a representative from the City Planning Commission. They will address the proposed citywide rezoning plan and its potential impact on affordable housing as well as Brewer's recently released report on small businesses. The proposed new zoning would raise height limits in contextual districts like those currently in place by as much as 20 to 30 percent.

You may remember our efforts in 2007 when we, along with other Upper West Side organizations, succeeded in

extending contextual protection to the blocks between West 97th Street and West 110th Street. Our goal then was to ensure that any future development would be in keeping with the character of our avenues and midblocks. The current citywide zoning proposal would likely result in higher new buildings that would not adhere to the street wall.

Our Club meeting comes after our annual fund-raiser on May 3, at which time we celebrated our 40th anniversary and honored New York City Comptroller Scott Stringer with the Ted Weiss Public Service Award and the PS 163 Parents Association with the Jesse Crawford Community Service Award. I extend special thanks to the 2015 fundraising committee—Bob Botfeld, Cynthia Doty, Elizabeth Kellner, Lynn Thomas, Lynn and Steve Max, Wendy Dannett, Barbara Lee, Merle McEldowney, Betsy Malcolm, Mary Ann Marks, Marie Lunn, Ellen Flax, Lorraine Zamora, Jock Davenport, Bruce Markens, Abigail McCloster, Milivoy Samurovich, Erl Kimmich, Betty Jean Dixon, and Samantha Evans for their planning and assistance in making the fund-raiser a very successful event. Thanks, too, to all the electeds and members who attended and celebrated with us.

## District Leader's Report

By Bob Botfeld

Last month, I discussed in this newsletter and at the April club meeting how the misleadingly-named proposed zoning changes, *Zoning for Quality and Affordability*, would obliterate the human scale contextual zoning that this neighborhood fought for and won eight years ago. This proposed citywide zoning change is bad both in its substance and the unusual blunt omnibus method being used to implement it. Its substance will remove the height and contextual restrictions put in place in 2007. The process by which City Planning is implementing the zoning changes is bad because it changes zoning definitions citywide, instead of proposing targeted modifications block-by-block and neighborhood-by-neighborhood, as they nearly always have been done in the past. The process ignores neighborhood input and neighborhood differences.

We are at the beginning of the public comment period. You can provide input and criticism of the "Zoning for Quality and Affordability" at the City Planning website comment area at <http://www.nyc.gov/html/dcp/html/zoning-qa/zoning-for-affordability-feedback.shtml>.

With your support, I am hopeful—and optimistic—that these proposed changes will be rejected or modified. In the period that I have served as District Leader at Three Parks, we have been effective and successful in helping preserve the unique character of our Upper West Side neighborhood.

Twice, we won the battle to keep high-rise and commercial development out of NYCHA's Douglass Houses. We passed the 50-block contextual zoning bill in 2007 preserving the area from 97th to 110th street, and the Retail Store Zoning of 2012 protecting the mom-and-pop stores on Amsterdam Avenue. We kept the circus out of Riverside Park, and helped prevent a noisy, permanent tennis structure in Central Park. We have successfully elected city and local state officials who push our neighborhood interest forward.

It has been a pleasure and a privilege for Cynthia Doty and me to serve as District Leaders and have the opportunity to work on these and other state and federal issues that we have in common. Cynthia and I are up for re-election in this very quiet election year. At the June 10 meeting, we will have our bi-annual endorsement vote, and I hope that you will support us again.

## **Albany Update On Public Education**

By Elizabeth Kellner

With passage of NYS budget on April 1, many contentious education issues were left unresolved and kicked forward to the remaining eight weeks of the Legislature session.

Gov. Cuomo and Senate Republicans were partially successful in extracting changes to NY teacher evaluation system in exchange for increased aid to schools, but the details and timing of those changes remain uncertain with the State Board of Regents having responsibility for crafting a new system. While the weighting of student test scores will not be the 50 percent originally sought by Cuomo, testing will likely play a significant role. State Regents Chancellor Tisch suggested that high performing districts (translate higher income, nonethnically or economically diverse) might be excused from the new regimen and how will that affect recruitment of high quality teachers to struggling neighborhood schools in poor communities; she also wanted to delay implementation to September 2016. Cuomo continues to insist the effective date be November 2015, with school aid contingent on adoption of the new evaluation system.

What is certain is that eligibility for tenure now requires five, rather than three, years of experience; test scores will be used in part to determine tenure; and regardless of tenure status, low student test scores can be a basis for dismissal. All of this is occurring in the context of nearly 100,000 students choosing to opt out of this year's tests, consistent poll results showing parents not trusting the Governor on matters of education policy, and mobilization by the state and city teachers union to educate the public on their concerns with big ad buys.

A fierce legislative battle over raising the cap on charter

schools is also expected. Cuomo and Senate Republicans, both of whose campaign coffers have been enriched by charter supporters, are in favor of the increase. During the Bloomberg years, Senate Republicans had been steadfast supporters of Mayoral control that expires in June. Now they are poised for a 180-degree turn on this issue because they realize the all-important NYC issue of control can be held hostage to raising the charter cap. Republican Senate Majority Leader Skelos has also said that a \$25 million item in the budget, described generally as for not-for-profit community organizations, is money he intends to give to charter schools.

Also in the mix is the failed Education Investment Tax Credit which fell by the wayside in the final budget negotiations. The charter movement and organized religion can be expected to push hard once again for this ill-advised give-away which does nothing to benefit NYC's million-plus public school children. In fact, it reduces the public tax dollars available to support public education. Sadly, not much has been heard about prospects for reviving The Dream Act either.

## **Candidates For Judicial Delegates**

The election of Judicial Delegates will take place at the May 13 TPID club meeting. Each candidates will have an opportunity to speak before voting begins. Voting will be from 8:30–9:15 pm. The three candidates with the highest number of votes will be elected Judicial Candidates; the three lowest will be Alternate Judicial Delegates.

**Theresa Canter** is a long-time member of Three Parks and currently serves as 2nd Vice President. In addition to having served as a Judicial Delegate, she has been privileged to serve the club in the past as President and as Treasurer. Having a keen interest in our Judiciary and a commitment to choosing judges with the necessary experience, temperament and integrity, she would be honored to again represent the club as a seasoned Judicial Delegate.

**Alan Flacks** is an experienced delegate to the Judicial Nominating Convention, having served many times. He is committed to the merit screening process, which he helped to establish. A long-time TPID club member and Democratic County Committee member, Alan also has served as the club's corresponding secretary and membership director. His community and civic activities include his block association, the 24th Pct. Community Council, the Community Planning Board Transportation Committee, the Mid-Manhattan NAACP, and the St. Luke-Roosevelt Community Advisory Board.

**Audrey Isaacs** has been a very active Judicial Delegate/

Alternate for the past three years. Each year, for herself and for fellow Judicial Delegates, she compiled charts comparing qualifications of candidates for elevation to Supreme Court Justice. She's practiced law in NYC since 1975, specializing in litigation, and has appeared for clients in state and federal courts, as well as city, state and federal agencies. She was an attorney in private practice (1975-2000), Administrative Law Judge (1996-2008), and was promoted in 2008 to supervise an administrative courthouse with 4-5 Administrative Judges.

**Merle McEldowney** discovered Three Parks Independent Democrats during the 2006 John Hall Campaign. She loves Three Parks because, in addition to the important work that a political club does in the neighborhood, there are people in the club who are passionate about preserving Social Security, Medicare and Medicaid; getting a reasonable energy policy that closes Indian Point; preventing fracking in New York State; and moving our country to renewable fuels.

**Abigail McGloster** is an Executive Board member of Three Parks and is interested in being a Judicial Delegate/Alternate; she'd like to be part of the judicial process of selecting judges to serve our community. She's worked in the legal field as a paralegal and understands the legal process. In the screening process of choosing judges, she believes it's important that the candidates possess an excellent grasp of the law, maintain calm, be respectful to all parties appearing before them, and have the ability to balance justice.

**Stephanie Tegnazian** is a longtime Three Parks Independent Democrats member and is interested in serving the judicial system. She has attended panel selection meetings, read decisions and asked questions and, most important, she wants to serve.

**Election of Judicial Delegates: Eligible Voters for May 13 Club Meeting.** (List will be updated prior to meeting.)

Susan Andrews	Daniel Marks Cohen
William Baldwin	Margaret Collins
Emily Baldwin	Christian Cordova
Susan J. Baldwin	Mimi Daitz
Robert Bardin	Wendy Dannett
Samuel Bartos	John Davenport
Margret Beels	Susan Dess
Shoshannah Benmosche	Irene Dess
Bob Botfeld	Wendy Diller
Marla Bruncker	Betty Jean Dixon
Jacqueline Bukowski	Cynthia Doty
David Camacho	Samantha Evans
Theresa Canter	Gerry Ann Fifer

Alan Flacks  
 Ellen Flax  
 Ernestine Gallagher  
 Mary J. Geissman  
 Daniele Gerard  
 Robert Ginsberg  
 Pilar Gomez  
 Timothy Greene  
 Robert Gumbs  
 Marnie Hall  
 Janet Harvilchuck  
 Jacqueline Huey  
 Audrey Isaacs  
 Elizabeth Krob Kellner  
 Erlend Kimmich  
 Norman Lafond  
 David Lazarus  
 Barbara Lee  
 Gail Leinwall  
 Thomas Lopez-Pierre  
 Marie Lunn  
 Betsy Malcolm  
 Bruce Markens  
 Mary Ann Marks  
 Lynn Bender Max  
 Stephen Max  
 Merle McEldowney  
 Abigail McGloster  
 George McGuinness  
 Minda Meister  
 Christopher Mooney  
 Brenda Morgan  
 John Newell  
 Joan Ogden  
 Josh Pepper  
 Wilhelmina Perry  
 Geraldine Phillips

Florence Puccetti-Hepner  
 Miriam Rabban  
 Carol Reisner  
 Milivoy Samurovich  
 Doris Schreiber  
 Christopher P. Scott  
 Jacob Sher  
 Irene Shrier  
 Allan Spitz  
 Roschel Holland Stearns  
 Michael Stearns  
 Stephanie Tegnazian  
 Lynn Thomas  
 Deborah Thomas  
 Jane Thompson  
 Ken Tulloch  
 Lauren A. Williams  
 Judy Wood  
 Lorraine Zamora  
 Tamar Zucker  
 Ariel Zucker-Brull

**Voters Eligible if Paid by May 13, 2015:**

Cyrus Adler  
 Patricia Barrera  
 Russell Jenkins  
 Emma Jenkins  
 David C. Kaplan  
 Alex Medwedew  
 Gail Meyers  
 Hank Perlin  
 Carl Joseph Scalise  
 Ann Shirazi  
 Ahmad Shirazi  
 Rachel Smit  
 Gloria Zeche

*In order to vote in club elections, a member must have paid dues for 2015 and have attended at least one meeting in the last six months. Members who were paid for 2014 and who meet the attendance requirement may become eligible upon payment of 2015 dues. New memberships become effective thirty days after dues are paid. To be eligible to vote, a new member must attend at least one meeting after the thirty-day period and within the six months prior to the election. Memberships that have lapsed due to non-payment of annual dues are considered new. Reminder: Members may not vote at Three Parks if they also vote at other Democratic clubs.*



Members of the TPID board at its Save-Rent-Regulation table on the corner of 104th Street and Broadway. Help Three Parks in its efforts to save rent regulation and end 421-a tax breaks. Check our website ([threeparksdems@aol.com](mailto:threeparksdems@aol.com)) and watch for our e-blasts for dates and times of upcoming table locations.

## Saving Humanity, Saving Our Oceans

By Wendy Dannett

Our oceans supply us with oxygen, food, potential medicine, energy, and are home to the great whales, sharks, seabirds and at least a million other species. We have all heard about the oceans warming and becoming more acidic, causing the destruction of coral reefs. And we hear how different populations of sea life have been over-fished, and the huge amount of plastics that lie on the ocean and kill wildlife. But Dr. Reese Halter, in his passionate book, *Shepherding the Sea: The Race to Save Our Oceans*, has added depth and poignancy to the destruction going on. Dr. Sylvia Earle, director of the National Oceanic and Atmospheric Administration in 1990 is quoted in the book as saying “If the sea is sick, we feel it. If it dies, we die. Our future and the state of the oceans are one.”

What if you awoke one morning, Halter asks, and three out of four breaths of air were not available? Human induced climate change has disrupted deep ocean currents, preventing essential nutrients coming to the surface to grow phytoplankton. Phytoplankton provides oxygen, and is the basis of the entire marine ecosystem. The oceans are missing 40 percent of their phytoplankton. In the Arctic Ocean alone, the plankton is close to releasing more CO<sub>2</sub> than it can absorb. Once the temperature reaches 41°F, probably in the next 10 years in the European side of the arctic, we will see that happen.

Every day, our oceans are attempting to digest over 42

million tons of CO<sub>2</sub>, and it has reached a tipping point. So high are the levels of CO<sub>2</sub>, they are interfering with the neurotransmitters in the brains of fish. Anxious fish are losing their ability to detect correct chemical cues. In the ocean off Papua, New Guinea, fish are becoming attracted to the smell of predators. The oceans are acidifying faster than in the previous 300 million years, affecting coral reefs and shellfish.

Human fingerprints, Halter says, are all over the oceans. We have polluted the oceans with mercury. Our oceans supply us with food, but 84 percent of fish that have been tested are filled with methyl mercury, which comes mostly from burning coal. Over the last 50 years, mercury toxicity has tripled in our oceans to over 80,000 tons. We have also polluted the oceans with noise. Noise pollution affects the biological processes in sea life. Whales and sea turtles incur autoimmune and cardiovascular stresses. Animals ranging from blue whales to clown fish cease feeding, and noise pollution prevents mating.

Scientists from the US National Center on Atmospheric Research have noted at least 30 percent of the earth’s warming was hidden by oceans. Deep ocean warmer temperatures have begun to surface. Climate disruption is ravaging every ecosystem in the ocean, including Tasmania coastal kelp forests, which are almost gone; 95 percent of underwater jungles are dead.

At the end of the book, Halter asks how we can save the seas. Unfortunately, I think he cites no easy answer, as solutions must come from economic and government sources. Throughout the book, he cites the work of his good friend and conservationist, Paul Watson, who has chased down illegal whaling boats and thereby saved the lives of many whales. Watson would like to see an international oceans policy. He says, “the most important message is this: if the oceans die, we die. We cannot live on this planet with a dead ocean. Diminishment of biodiversity in the seas weakens the ecology of our oceans.”

## The LLC Loophole

By Elizabeth Kellner

Whether your priority concern is support for public education, renewal and strengthening of rent regulation, elimination of real estate tax breaks for multimillionaires, raising the minimum wage and supporting workers rights, raising the age of criminal responsibility, passage of the Dream Act, adequate funding for public transportation or just the general worry over the corrupting influence of money in politics, what going on with closing the so-called LLC Loophole in New York Campaign finance law is worth paying attention to.

### What is the LLC Loophole?

Since the late 1990s, in conformity with federal campaign finance law at the time, the NYS Board of Elections approved a regulation which treated donations from a limited liability corporation (LLC) as if they were coming from an individual. That status exempted LLCs from the donation limits imposed on corporations. Moreover, it's pretty easy to form an LLC and it enables wealthy individuals to use their various individual LLC business entities to each give the maximum \$60,000 which is the individual cap on contributions. So, for example, real estate magnate Leonard Litwin (Developer #1 in the Sheldon Silver indictment) could use dozens of LLCs to donate \$60,000 many times over. Not only does the loophole blow the lid off campaign finance restrictions, it's very hard for the average journalist, researcher or concerned citizen to find out exactly who is behind the anonymity of a cryptically named LLC. This LLC money flows by the many millions of dollars, most notably from the real estate industry, but also from hedge funds and other business interests, who want to promote their agenda in Albany and need elected officials to do their bidding.

### How to close the loophole?

The federal campaign finance regulators saw the error of their ways and changed the law, but not so in NYS where the loophole lives on. Enter the good government reform movement. While Cuomo initially put closing the loophole in his budget ethics reform package, it was dropped in the final negotiations leaving NYS with just the crumbs of improved outside income disclosure and per diem reform. Most recently a concerted push by groups such as the Brennan Center for Justice, Common Cause, Citizens Union, NYPIRG, Citizen Action, The League of Women Voters (you get the picture), led the current NYS Board of Elections to put closing the loophole on the agenda in April.

The rationale was straightforward—they had initially created the loophole, so they can uncreate it. As expected, however, the four Election Commissioners deadlocked with the Democrats supporting closure and the Republicans contending it should be a matter for the Legislature.

The only good thing about this is that it forced Albany, including the Governor, to go on record as to which side they were on. The issue now faces uncertain prospects in the Legislature where bills put forward by Brian Kavanagh in the Assembly and Daniel Squadron in the Senate are under consideration. While likely to pass the Assembly, the Senate is another matter. Of course the loophole gave us the demographically bizarre Senate Republican majority that is beholden to the LLC constituencies. And even if there isn't LLC money influencing them on issues such as the Dream

Act, environmental protection, or juvenile justice reform, it keeps these legislators in office and gives them the political leeway to thwart progressives, especially NYC residents, on a host of important matters where Albany controls our fate.

### Rally to Save NYC!

Unless Albany acts by June 15, rent regulation laws will expire, putting over one million rent-stabilized homes at risk.

### Come to the Rally!

Thursday, May 14th , 5:00 PM

Foley Square (corner of Centre and Worth Streets)

Then join the march across the Brooklyn Bridge

### Contact:

Darren at Tenants & Neighbors

212-608-4320, [darren@tandn.org](mailto:darren@tandn.org)

Ava at Met Council on Housing

212-979-6238, [ava@metcouncilonhousing.org](mailto:ava@metcouncilonhousing.org)

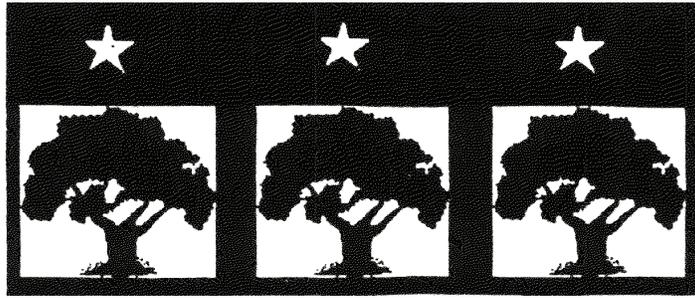
### Memorials

**Rose Podrasky**, a long-time Three Parks member, passed away on March 28. She had been ill and living with her family in Pennsylvania. Rose was a loyal petitioner and poll worker, a County Committee member, a nurse volunteer with Doctors Without Borders, and involved with several choirs including the New York Oratoria Society. Our deep condolences go to all the members of her family.

**Martin McCarthy**, a long-time community activist, housing advocate and attorney, passed away on April 24 at the age of 82. He was a founder of the West Side Federation for Senior Housing where he most recently served as General Counsel. Three Parks extends its sincere condolences to his wife, Laura Jervis, his children and other family members.

### Thanks to Everyone

for Attending Three Parks 40th Annual Fundraiser  
at Mexican Festival on May 3 and Making TPID's  
40th Anniversary Gala Such a Huge Success!



### Three Parks Independent Democrats

Cathedral Station P.O. Box 1316, New York, NY 10025, tel: 212-539-7602

Please pay your 2015 dues by filling out the form below and bringing it to the next meeting or by mailing it with your check to:

Three Parks Independent Democrats  
Cathedral Station P.O. Box 1316  
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Attn: Treasurer

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#### 2015 MEMBERSHIP FORM

New Member \_\_\_\_\_

Renewal \_\_\_\_\_

Membership Category -- Check One

Individual (\$25) \_\_\_\_\_

Family -- two adults in the same household (\$40) \_\_\_\_\_

Low Income (\$15) \_\_\_\_\_

Low Income Family (\$20) \_\_\_\_\_

Sponsor (\$50) \_\_\_\_\_ Patron (\$100) \_\_\_\_\_

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Apt. # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone (H) \_\_\_\_\_ (W) \_\_\_\_\_

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Check here if you prefer to receive the newsletter solely by email.

Please pay your dues with a check or via PayPal—cash and money orders are far more difficult to process.  
Please make out all checks to “Three Parks Independent Democrats—Dues 2015”

Thank you for your cooperation!

*Three Parks Independent Democrats*  
*Cathedral Station P. O. Box 1316*  
*New York, NY 10025*

Next Meeting

Wednesday, May 13, 2015

***Under Siege Again: Affordable Housing and  
Rezoning in Political Spotlight***

Speakers: Hon. Keith L. T. Wright, Hon. Gale A. Brewer, a Representative from NYC Planning Commission