OFFICE OF THE PUBLIC ADVOCATE

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CLIPS

Gotham Gazette
New York City News and Policy

Time Out for Phys Ed

by Mia Goldberg
04 Mar 2008

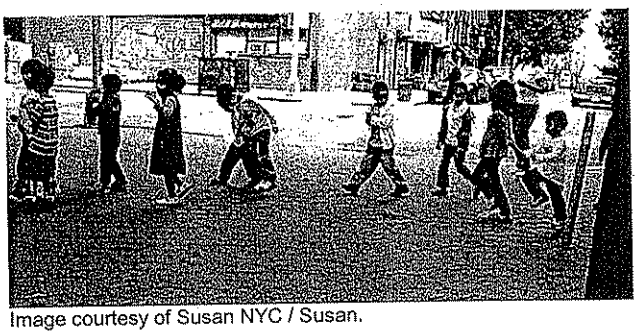

Image courtesy of Susan NYC / Susan.

For many, physical education class meant enduring the pain of a dodge ball to the gut or the dread of being picked last for basketball. It's no wonder there was little outcry over the past 30 years as physical education gave way to math, science and reading classes. Today, though, PE, as it was called, might be making a comeback.

Since the city's fiscal crisis of the 1970s, the physical education budget has been cut in half. As parents, educators and politicians focused on how to improve poor academic performance and the quality of the public school system in general, the emphasis on gym class diminished. At the same time, the childhood obesity rate began to rise across the country, more than quadrupling from the 1960s to today. Now, almost half of New York City's elementary schoolchildren are overweight. Of those, one in five, including kindergarten students, is obese, according to a 2003 survey conducted by the New York City Department of Health and Mental Hygiene with the Department of Education.

Steps to a Fitter City

Putting Bodegas on a Diet: Many New Yorkers must shop at small groceries, which offer a smorgasbord of chips but not fresh produce. Can the city make storeowners change their ways?

Reading, Writing -- and Running? The Department of Education has implemented a FitnessGRAM so parents can help their kids shape up. But in an era when standardized tests influence so much of the school day, traditional phys ed classes often fall victim to a lack of time and space.

Affordable Greenmarket: City and state efforts seek to make the bounty of city farmers markets available to low-income New Yorkers.

Beefing Up the Menu: Calories mount up quickly at fast food restaurants, and the Bloomberg administration hopes people will scale back -- once they know just how fattening their favorites burgers are. But restaurant owners are fighting back.

Also this week:

Curbside Vegetables: Will produce pushcarts encourage people to eat healthier foods?

Permit for "Green Carts": The City Council passes a measure to create a new class of street vendor.

Video games, computers, fast food and more sedentary lifestyles deserve much of the blame, said a spokesperson for City Councilmember Robert Jackson, chairman of the Education Committee. But, she said, "Change in the mindset of the Department of Education to emphasize math and reading test performance above all else combined with school overcrowding and lack of or inadequate gym facilities" are also factors.

"They keep telling us to stay physically fit, but they're not practicing what they preach," said Kelly Zito, a parent at PS 42 in Staten Island. "They push testing all the time. You can't promote health and fitness and not devote any time to it."

A New Type of PE?

To improve fitness levels among schoolchildren, in 2003, the Department of Education created the Office of Fitness and Physical Education. Director Lori Rose Benson has implemented Physical Best, a new curriculum that shifts the focus of physical education class away from competitive games, toward exercises and activities that help students improve their fitness levels and learn about the benefits of physical activity.

Schools also participate in NYC FitnessGRAM, an assessment of each child's fitness and health level that compares the students to the national standards for their age group. Kids in kindergarten through third grade are assessed only by their Children's Body Mass Index "BMI" (height to weight ratio). The kids in higher grades are tested in endurance, strength and flexibility. The schools send the results to the parents, with suggestions to maintain or improve their child's weight and physical abilities.

Both parents and physical education teachers applaud the programs.

"It was a rude awakening, but I liked it," said Zito, whose child was considered "overweight" based on her BMI result. Her family has been exercising and walking more since they got the report.

Alison Ryan, PS 42's new physical education teacher, likes the creativity of the curriculum. "I try to keep the kids moving as much as possible and make the best use of the limited time," she said. It also helps that she tells the kids why activities that they do, like aerobics, strength training and stretching are important.

Sedentary Students

Now that these school programs have taught parents and kids how important physical fitness is, many of them would like the schools to devote more time to put these lessons into practice.

A 2004 study by Public Advocate Betsy Gotbaum's office randomly sampled 100 elementary schools (20 per borough) about the amount of time devoted to physical education classes. Almost all of the 100 schools were in violation of state laws requiring elementary school students to attend physical education classes at least 120 minutes per week, spread over the five days. This does not include time spent in dressing rooms, showering or recess time.

Bernadette Riotta, PTA president at PS 42 in Staten Island was shocked when she heard about the state requirements. When her two kids, now in second and fourth grade, started school they had no gym periods at all.

"They had 'allotted time slots' for gym once a week. But, it was up to the teacher whether to take them or not, and most of them didn't bother to do it," Riotta said.

After years of pleading by the PTA, the school, under the leadership of a new principal, finally got a dedicated gym teacher two years ago. Now the kids get one 50-minute class per week, still below the state standards.

Director Benson herself admits the city is not complying with the state rules. Although the NYC FitnessGRAM program, which collects the information in a database, has garnered praise, it has no effect on the amount of time devoted to physical education classes. "The assessment doesn't measure the quality of the school's physical education program or its physical education teachers," she said. "It is purely to help students and their parents individually to incorporate health and fitness into their lifestyle."

The public advocate questions the value of the FitnessGRAM program unless school accompany it with additional gym time. "While assessment measures and tests are important for gauging student progress, the Department of Education needs to make sure that schools are providing students with the amount of physical education required by the law," her office said. "I don't see the point of investing resources in another test before students have access to the physical education they need."

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NORWOOD NEWS

PUBLISHED BY MOSHOLUPRESERVATION CORPORATION

Officials Lament Dropout Rate

On the heels of a recent citywide education budget cut, and a decrease in expected funding for education from the state, city and state leaders met at Lehman College in the Bronx to discuss strategies for getting more students to stay in school.

The goal of the forum, called "Dropout Summit II," was to develop a plan to combat New York City's rampant dropout problem. According to a statement released by the office of Bronx Borough President Adolfo Carrión, Jr., "more than 21,000 NYC high school students left without a degree last year."

At the Summit, Jesse Mojica, Carrión's director of education and youth, said, "We should not legally allow 16 year olds to have the power to drop out of school." The Summit's delegates were unanimous in agreeing with Mojica that the compulsory school attendance age in New York should be raised to 18.

Other speakers at the Summit included the U.S. House Ways and Means Committee's Chairman, Rep. Charles B. Rangel; New York's First Lady, Silda Wall Spitzer; Former Governor of West Virginia Bob Wise; New York City Comptroller William Thompson, Jr. and Public Advocate Betsy Gotbaum.

Many of the speakers were critical of some of the mayor's education initiatives. Rangel commented, "I think you're going to have to have a little more outrage when you find public officials putting dollars and cents where they're doing nothing."

—GRAHAM KATES

March 6, 2008

COURIER LIFE
PUBLICATIONS

MARCH 6, 2008

Marty ahead in mayoral poll

By Thomas Tracy and Stephen Witt

If that guy Undecided drops out, Marty Markowitz could take it all.

That was the determination of a recent NBC poll released Tuesday which named him as the clear favorite among Democrats vying for the 2009 Mayoral race – at least by those who have already made up their minds.

The results show that 18 percent of the 467 polled could see Markowitz for Mayor – landing him just a few points ahead of Congressman Anthony Weiner, who was favored by 13 percent.

The two Brooklynites were followed by City Council Speaker Christine Quinn, who snagged 11 percent, City Comptroller Bill Thompson and Public Advocate Betsy Gotbaum, who both received nine percent and Queens City Councilman Tony Avella, who came in last with four percent.

Still, a whopping 36 percent of those who took the poll on February 21 and 22 remained "undecided."

Marty's success in the poll was as a shot in the arm for the term-limited Beep, who, while flattered by the results, said that he is still unsure about a bid for City Hall.

"While I find this personally gratifying, polls are truly irrelevant in my opinion," Markowitz said in an interview with this paper, noting that the results did show him his 29 years of public service hasn't gone unnoticed. "It's too early for voters to determine who can be the next

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Mayor."

While he has raised just over $900,000 for a potential run, Marty says that his goal has always been to be Brooklyn's borough president.

"That was always my personal vision," he explained. "Now with term limits approaching, it's a question of whether I want to hang up my boots or find another way to contribute."

"Running for mayor will be a grueling, exciting and challenging, but I still have to decide if it will be the best for New York and the best for me," he said.

His pending status as a senior citizen will also play a factor.

"If I was 45 or 50, it would be an easy decision, but I'll be almost 65 when the race heats up," he said. "The real question would be what I can contribute. If that answer is yes, I'll make myself a candidate."

When it comes to fundraising, Markowitz falls squarely in the middle of the pack of Mayoral hopefuls according to recent disclosure reports.

While he has far less than Thompson's $4.2 million, Weiner's $3.5 million and Quinn's $2 million, he is faring far better than Avella, who has generated $180,000 and Gotbaum, who has secured $163,000 in donations.

Contacted Wednesday, his potential rivals in the 2009 Mayoral race didn't seem too frazzled by the NBC poll.

"I love Marty," said Weiner in a statement. "Isn't he borough president for life?"

Calls to Thompson's office were not returned as this paper went to press.

Political insiders told reporters that if Markowitz does decide to throw his hat in the ring he would adversely impact both Weiner's and Thompson's campaign by taking Jewish votes from the Congressman and Caribbean votes from the Controller.

He would also undoubtedly take Brooklyn votes from both candidates, who also live in the borough.

Still, Brooklyn appears to be Markowitz's only base.

According to an unofficial follow up poll by the *New York Daily News*, Markowitz wasn't recognized by residents in Staten Island and the Bronx.

When asked to identify Markowitz from a photo, at least one person thought the Borough President looked like Rodney Dangerfield, according to the article.

Another said he looked like Elmer Fudd.

COURIER LIFE
PUBLICATIONS

DOE cell phone giveaway

By Michèle De Meglio

Educrats are against the use of cell phones in schools but that's not stopping them from giving them out to students.

The city Department of Education (DOE) is arming 2,500 middle school students with cell phones to encourage achievement. The way it works is students will receive extra minutes as a reward for good behavior, regular attendance, homework completion, class participation, and high grades. Students will also receive text messages from teachers reminding them of upcoming exams.

The goal of the program, dubbed the Million Motivation Campaign, is "getting students engaged and motivated to succeed," explained schools Chancellor Joel Klein.

"Too many low-income and minority children continue to underperform," Klein said. "The Million Campaign offers an innovative approach to a longstanding educational challenge that many people write off as intractable."

But some say the DOE is sending mixed messages by providing children with a device that is prohibited in school buildings.

"Anything that encourages children to strive to succeed in school is a wonderful thing. The irony here is that it underscores the cockeyed policy of the Department of Education which speaks out of both sides of its mouth," said Michael Benjamin, first vice president of District 22's Community Education Council (CEC), which has challenged the DOE's ban of cell phones in public schools.

A critic of the cell phone ban, Public Advocate Betsy Gotbaum said the new initiative "brings more mixed messages from the DOE and yet another gimmick to justify excessive testing and overemphasis on scores. Not to mention these students will be thrilled with their new cell phones, that is until they get confiscated at school the next day."

"There is absolutely no contradiction in supplying these phones to students," argued DOE spokesperson Debra Wexler. "Students will be able to utilize the phones at home, during evenings and weekends."

Klein defended the new program.

"Our rule is iPods, and cell phones and all of that – those are great devices," he said, "but you've got to have the device at the right place and the right time, and in our school system, cell phones and

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iPods, those kinds of things don't belong. On the other hand, after school, I would encourage kids to be texting, to go online, but not during school – just like I'd encourage them to play basketball, but not in the middle of math class."

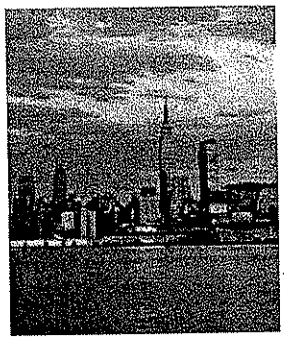
The new initiative will cost $2 million. This price tag raised eyebrows since the DOE just cut school budgets, resulting in the cancellation of many after-school programs.

But the DOE says it couldn't allocate the cash to local schools.

"The funds were raised privately and were donated specifically for this purpose by people who wanted to support this initiative, and could not be applied to other purposes," Wexler said.

The program is in effect at seven city schools, four of which are in Brooklyn – J.H.S. 234 W. Arthur Cunningham on Avenue S and East 17th Street, Ebbets Field Middle School in East Flatbush, I.S. 349 School of Math, Science and Technology in Bushwick, and the KIPP AMP Charter School in Crown Heights.

MARCH 6, 2008


New York

NY funds unite on emission disclosure

by Heather Dale 7 March 2008

US – The New York City pension funds have filed shareholder resolutions demanding three energy companies disclose what action they are taking to reduce global warming emissions from their power plants.

The resolutions aimed to focus the companies' attention on assessment and disclosure, and research and development of new environmentally sustainable technologies in their operations.

William Thompson, comptroller, New York City, filed the resolutions on behalf of the New York City Employees' Retirement System (NYCERS), Teachers' Retirement System of the City of New York (TRS), New York City Police Pension Fund, New York City Fire Department Pension Fund, and the New York City Board of Education Retirement System (BERS).

Betsy Gotbaum, trustee, NYCERS, said: "Our environment is a precious resource. Corporations need to recognise the potential harm their operations can have on the environment, and disclose their environmental efforts to reduce global warming.

"By working to push companies towards corporate transparency and greater social and environmental responsibility, the New York City pension funds are ensuring that shareholders get the best possible return on their money while contributing to a better world."

The three companies involved were; Consol Energy of Pennsylvannia, El Paso Corporation of Texas and Massey Energy Company of Virginia.

El Paso Corporation has already agreed to adopt the measure.

THE NEW YORK OBSERVER

Burden Cries 'Security!' As Planning Commission OKs 125th Street Rezoning

BY LYSANDRA OHRSTROM | MARCH 10, 2008 | TAGS: REAL ESTATE AMANDA BURDEN CITY PLANNING COMMISSION HARLEM REZONING

"Amanda Burden is rich, rich, rich! You're destroying our community and making it white because you can't find a restaurant! You're a socialite and a horrible person!"

So shouted Harlem residents at Planning Commission Chairwoman Amanda Burden toward the end of Monday's contentious commission meeting about the Bloomberg administration's plan **to rezone 125th Street** to encourage denser development. The commission voted 11-2 to approve the rezoning. It now moves to the City Council for a final vote.

Michael Henry Adams, a Harlem resident and historian, said his neighborhood will become "a rich, white community where they are going to give bonuses to black cultural institutions so that black people will be able to entertain the rich, white people who live in Harlem; and Harlem will become a museum of what used to be, a museum of the black experience that no longer exists."

Other audience members chimed in, booing Ms. Burden and vowing to fight the rezoning. "Security, security, security!," Ms. Burden called. Mr. Adams left.

Why the vehement opposition? Many see the 125th Street rezoning as a precusor to a more rapid gentrification of all of Harlem, one that will turn the historic African-American neighborhood into a haven of luxury condos and higher-end retail.

The commission had modified the zoning proposal after a public review that included over 170 meetings between officials and residents. But, in the end, only board members Angela Cavaluzzi and Karen Phillips—who was appointed by city Public Advocate Betsy Gotbaum in 2002—voted no. The audience cheered them. The audience booed the former head of the Harlem Community Development Corporation, Richard Eaddy, as well as Shirley McRae, former head of Commuity Board 2 in Brooklyn. Eruptions of "sell-out" and "traitor" greeted their votes.

Both Ms. Cavaluzzi and Ms. Phillips voted no because, they said, the modifications to the original zoning proposal don't respond enough to the community's grievances.

In response to concerns about residential development, the Planning Commission added a measure to prohibit residential lobbies on 125th Street for buildings that are accessible on avenues or on 126th and 124th streets. Though Ms. Cavaluzzi called the restriction "innovative," she said it does not "go far enough to address concerns over residential development."

Ms. Phillips said the rezoning "would be better if it were part of a comprehensive rezoning of Central Harlem." She said the measure to give incentives to developers to provide affordable housing to residents earning less than 40 percent of the median income was a step in the right direction, but should be encouraged outside of the 125th Street corridor.

Nellie Hester Bailey of the Harlem Tenants Council held an impromptu press conference on Reade Street following the vote. She told reporters that her organization plans to sue the Planning Commission and make a FOIA request to "determine the incestuous relations that are behind this so-called comprehensive plan that will contribute to the population decline of Harlem's African-American citizens.

"We agree the area needs to be rezoned," Ms. Bailey said. "What we do not need is to change a residential corridor into an upper-income luxury housing corridor, which is exactly what is going to happen when they put 2,300 units of luxury housing in a three-block radius.

"The Environmental Impact Statement said we are going to loose nearly 1,000 existing jobs, but what the EIS concluded was that this was of no relevance to the economic vitality of the region; 71 businesses on 125th street will be gone. We know that the displacement is going to be broad and deep because Harlem is already under the full throttle of gentrification. This rezoning will only make it worse."

The New York Sun

Woman Sues Hospital Over Pregnancy Misdiagnosis

BY E.B. SOLOMONT - Staff Reporter of the Sun
March 12, 2008
URL: http://www.nysun.com/article/72762

A Bronx woman has filed a lawsuit against St. Luke's-Roosevelt Hospital, claiming that doctors misdiagnosed a problematic pregnancy and wrongfully advised her to have an abortion.

Mbayme Ndoye, a 29-year-old Senegalese immigrant, sought medical attention at Roosevelt Hospital on October 15 after experiencing abdominal cramps. After performing a sonogram, doctors told Ms. Ndoye that she was pregnant and that the pregnancy was ectopic, a complication in which the fetus develops outside the womb. Ectopic pregnancies cannot result in successful births, and they pose a serious health risk to mothers.

According to Ms. Ndoye's lawyer, Brian Brown, Ms. Ndoye and her common-law husband, Papa Tourre, agreed to terminate the pregnancy when medical staff explained the condition. Ms. Ndoye was given methotrexate, a cancer drug that is also used to terminate pregnancies.

The drug is administered in four doses, and when Ms. Ndoye returned the next day for follow-up treatment, doctors told her they made a mistake, and that her pregnancy had been healthy. Two days later, she sought treatment from a private physician, but the doctor was not able to reverse the effects of the medication. She subsequently had surgery to remove the developing fetus.

"It's a pretty horrific experience," Mr. Brown, a partner at the firm Zaremba, Brownell & Brown, said. "There's a sense of shame, that maybe she's responsible," he said. A spokeswoman for the hospital declined to comment, pending the litigation.

Roosevelt, which merged with St. Luke's Hospital in 1979, is part of Continuum Health Partners, a network that also includes Beth Israel Medical Center, New York Eye and Ear Infirmary, and Long Island College Hospital. Last year, Roosevelt doctors delivered 5,750 babies, and the hospital expects nearly 6,000 deliveries this year. A 2006 report by the city's public advocate found that the hospital's rate of cesarean sections in 2004 was 26.7%.

Mr. Brown said that several days after the incident, a woman who identified herself as a nurse supervisor at the hospital called Ms. Ndoye and said it was a "sad story." But the hospital has not formally apologized, he said. Ms. Ndoye filed a lawsuit in January but decided this week to publicize details of the alleged medical error, he said.

Since the incident, Ms. Ndoye, who has a 3-year-old son with Mr. Tourre, has been receiving counseling, he said. "She aborted her own healthy child, which she would not have done. This is a pretty traumatic experience," Mr. Brown said.

Ms. Ndoye is seeking unspecified financial compensation, he said.

The New York Times

March 12, 2008

THE SPITZER SCANDAL

Lieutenant Governor Has a History of Defying the Public's Expectations

By SAM ROBERTS

On Tuesday, Lt. Gov. David A. Paterson waited. Around noon, he was driven from his home outside Albany to the Capitol, raising expectations that Gov. Eliot Spitzer would soon resign and that Mr. Paterson was about to become the state's 55th governor — and the first African-American to hold the post.

Neither happened. Mr. Paterson returned home and waited some more.

With Mr. Spitzer's political future in grave doubt, Mr. Paterson, 53, a Brooklyn-born and Harlem-bred politician, has become Albany's man of the moment. Widely considered smart, amiable and disarmingly candid, he is also largely untested.

In 2006, Mr. Paterson surprised the Democratic establishment by giving up the possibility of becoming majority leader if the Democrats captured the State Senate — one of Albany's muscular three men in the room — to run for lieutenant governor, a largely ceremonial post.

But this week, Mr. Paterson's political gamble suddenly appeared to be on the brink of paying off, if in an unexpected and unintended way. If Mr. Spitzer resigns, Mr. Paterson would become only the third black governor of any state since Reconstruction.

From the time he refused to learn Braille as a child, Mr. Paterson, who is legally blind, has been defying expectations. Former Gov. Mario M. Cuomo recalled playing basketball against him in a charity game a decade ago.

"David was on the other side," Mr. Cuomo said. "I said: 'What are you doing here? You're supposed to be blind.' He said, 'I'm guarding you.' Just what I wanted: a blind guy to guard me. The second time down the court, he stole the ball."

Fellow Democrats and Republicans consider him to be more liberal than Mr. Spitzer and also a more deft politician, capable of healing the rancor that has driven Albany into gridlock.

"He's got a wonderful sense of humor, a very gentle man," said Betsy Gotbaum, the New York City public advocate. "In that sense, he's the opposite of Eliot."

But some people who have applauded Mr. Spitzer's combative style and ambitious reform agenda wonder whether Mr. Paterson is too accommodating, perhaps too gentle, to change Albany.

Mr. Cuomo said he thought Mr. Paterson "will make a more than good governor." But, he added: "I think in his heart of hearts he'd rather be a legislator. It's easier to intellectualize, to deal with problems as a senator, because you don't have to solve them."

David Alexander Paterson was born in Brooklyn on May 20, 1954, the scion of a powerful Harlem political fraternity that would become known as the Gang of Four. It included his father, Basil, a former state senator who in 1970 became the first black nominee for lieutenant governor and later served as deputy mayor to Mayor Edward I. Koch and secretary of state to Gov. Hugh L. Carey; Percy E. Sutton, the former Manhattan borough president; United States Rep. Charles B. Rangel; and David N. Dinkins, the city's first black mayor.

As an infant, Mr. Paterson developed an infection that left him blind in his left eye and with severally limited sight in the other.

Because the public schools in New York City could not guarantee him an education without placing him in special education classes, his parents bought a house in Hempstead, on Long Island, where he became the first legally disabled person to attend the district's public schools. He did well enough to be admitted to Columbia University — he graduated in 1977 with a degree in history — and Hofstra Law School.

His impaired vision has helped make him a good listener. Aides brief him by leaving lengthy voice mail messages. He memorizes his speeches.

"When I say I saw something, it's more like I sensed it," he said in a recent interview. "I think people's perception of me sometimes is that I see more than I actually do."

He and his wife, the former Michelle Paige, have a son, Alex, 13, and Mrs. Paterson has a daughter, Ashley, 19, from a previous marriage.

Mr. Paterson, who has completed the New York City Marathon, has said that his "truest disability has been my ability to overcome my physical disability."

"As soon as people see that I can be independent, then they hold me to the standard that everyone else is," he said. As a result, "I don't act the way I did when I was 17, like I can do everything myself, because I realized the minute I do that, no one helps me. So I learned to be a little more pragmatic about life."

He remembers becoming furious when Shirley Chisholm, the former congresswoman from Brooklyn, said she had encountered more bias because she was a woman than because she was black.

"Internally, I probably felt myself more discriminated against as a disabled person," Mr. Paterson said in 2006. "And when I would experience discrimination from another African-American I would go ballistic. I thought black people were supposed to understand."

After a stint with the Queens district attorney's office, he joined Mr. Dinkins's campaign for Manhattan borough president, then was anointed in 1985 to fill the Senate seat from Harlem, once occupied by his father, that had been left open by the death of Leon Bogues.

Mr. Paterson said that he sometimes felt intimidated by his father's reputation as a public servant and that he used to bristle at comparisons. "When I went to a couple of meetings, people said about me, 'He's not Basil,' " Mr. Paterson said. "I wasn't trying to be Basil. I was trying to be better than the people who were running against me."

In 1993, he sought the Democratic nomination for New York City public advocate, rejecting his Harlem elders' advice that another black candidate on the citywide ballot might jeopardize Mr. Dinkins's re-election as mayor. Mr. Paterson lost the nomination to Mark Green, but retained his Senate seat. In 2002, he became Senate minority leader by staging a coup — a rare event in Albany — against Senator Martin Connor of Brooklyn.

As minority leader, he borrowed a page from Mario Puzo in dealing with the Republican majority leader, Joseph L. Bruno.

"When I came to the Senate minority, I thought that we were very bellicose and very antagonistic at times out of frustration of failure," Mr. Paterson said. "So what I followed with Senator Bruno was something I read in 'The Godfather,' in the actual book, that you should have your friends underestimating your strengths and have your adversaries overestimating your weaknesses. So I always acted as if I was trying to — and I sincerely was trying — to have a more collegial atmosphere in the institution."

In the Senate, Mr. Paterson offered small gestures to Mr. Bruno that helped smooth their ideological differences, agreeing to adjourn early on days when Republicans were holding fund-raisers and to shorten debates. But he also helped orchestrate campaigns in 2004 that cost the Republicans three seats.

When Mr. Spitzer asked Mr. Paterson to run for lieutenant governor, many people — including his father and son — were wary. "I know a bad deal when I see one," his son said, noting that the salary, staff and other perquisites of the minority leader were better.

As lieutenant governor, Mr. Paterson has advanced his own agenda, focusing on stem-cell research, domestic violence and improving opportunities for women and minorities in business.

Asked what kind of governor Mr. Paterson would be, Mr. Green, who befriended him during the 1993 campaign, replied: "One word: different. Obviously, Eliot Spitzer got where he is by being pugnacious. David has gotten where he is by being accommodating."

But he cautioned that while Mr. Paterson had the "innate talent to be a successful governor," he would need "a strong staff to keep him focused and organized."

Mr. Paterson is no stranger to skeptics. "I have had this desire my whole life to prove people wrong, to show them I could do things they didn't think I could do," he said when he became minority leader. "This is just another."

The Villager Since 1933

District Leader's Roundup

Villager file photo

Keen Berger at a recent candlelight memorial service for Washington Square Park

New schools, new president, new parks and, pretty soon, new voting machines

By Keen Berger

From this Democratic district leader's perspective, the past year was not great, but not horrible either. Many disasters were dodged or stalled. All is in process, nothing finished.

The best part is schools. The crowding in all our local public schools has finally reached the attention of the wider community. Hundreds came to a hearing sponsored by Community Board 2 at P.S. 3 in January, including Assemblymember Deborah Glick, State Senator Tom Duane, City Councilmember Robert Jackson and Public Advocate Betsy Gotbaum — all of whom can help give us a school. Actually, we need three new schools: an elementary, a middle and a high school. Now that concerns have come to the fore, our community is looking for places. There are many: 75 Morton St., Pier 40, St. Vincents and several others. A hearing is scheduled on solutions. Thus, there is progress on this front — but it's not done yet.

Progress is also evident on parks. Father Demo Square is revamped and finally open, Seravalli is on its way, and Minetta and Bleeker playgrounds should be better soon. Accessible and clean bathrooms are a major need in our playgrounds; we are working on that. We need more places for children to play and adults to meet. Soon, we will have them.

There is bad news on parks, too — our long fight against the Washington Square Park renovation seems over. The Parks Department has erected tall chain-link fences, and they are digging up some bones of the 20,000 people buried there more than a century ago. They promise improvements but they may soon move and shrink the walkways and central plaza and build perimeter fences. Maybe the city's budget will make Parks rethink, but that is unlikely.

At least in 2007 the community board rescinded prior approval of the redesign plans and the Washington Square Task Force had a City Hall hearing that led to a strong protest about the lack of information. One small victory last year was that the perimeter fence is slightly lower than originally planned. Accessible bathrooms are scheduled, and a new park may open by summer 2009.

Progress on voting machines is evident. We avoided installing the DRE machines that many other states bought and now are scrapping. We need voter-verifiable paper, machines we trust (optical scan would be the victory), and poll workers who care about democracy. Your district leaders are working on this, as are many others. November 2008 is the new target to start using the new voting machines.

We will elect a new president! Thousands of Villagers voted in the primary on Feb. 5 — our district set a new record in turnout. Stopping the Iraq War is my number one national issue. I am thrilled that we will finally be rid of Bush and his supporters. And I celebrate what didn't happen — war with Iran.

More low-income housing, and no new millionaire housing, is an ongoing goal. Like Iran, progress here is measured by what hasn't happened. The Rudin tower (where St. Vincent's current main hospital campus sits) is opposed by almost everyone in our community. I predict it will never be built as now proposed; it is far too high, too bulky, too selfish.

Finally, there is Pier 40. Again, the good news is what hasn't happened. Because of strong opposition from the community and elected officials, and a brilliant counterproposal by the Pier 40 Partnership (local people), the Hudson River Park Trust ducked approval of the Cirque de Soleil entertainment complex, designed for rich people who drive to our waterfront. Here, we measure progress by lack of movement in the wrong direction.

It may seem as if our success is only stopping the worst. Some in city government say that our community has a "culture of opposition." That applies not only to issues just mentioned above, but historically to our opposition to a road through Washington Square Park, to demolition of Jefferson Market Library, to the Vietnam War.

I think, instead, we are a "culture of consideration." We consider ideas, instead of passively accepting them; we consider the needs of each other, instead of being dazzled by money. This past year, opposition has been necessary and abundant. I hope for better days ahead. I am proud of our culture — opposition and consideration — and proud to be your district leader.

MARCH 14-20, 2008

Staten Island Advance

Builder eyes more senior housing

Tides at Charleston developer looks to create 4-story, 108-unit building in same area

Friday, March 14, 2008

By KAREN O'SHEA
ADVANCE STAFF WRITER

STATEN ISLAND, N.Y. -- The developer who built the Tides at Charleston, Staten Island's first active-adult community, hankers to create more senior housing in the same community, a four-story, 108-unit "age-restricted" building on Androvette Street.

His proposal comes against the backdrop of a pending report by the city public advocate that says planned senior housing developments in the city have been in short supply for years, while the elder boom here accelerated in 2006, when the first baby boomers turned 60.

But even the assumed benefit of senior housing is not enough to assuage the concerns of people who must live near such developments.

Raymond Masucci recently applied for a variance from the city Board of Standards and Appeals to create a 108-unit building with housekeeping, dining and medical services for older residents. But some civic leaders already are voicing concern about adding senior housing to an industrial area they say lacks sanitary sewer connections and adequate roadways.

In nearby Rossville, neighbors are fighting a proposal by a church to build 118 apartments for low-income seniors on Bloomingdale Road. Opponents contend that the two, proposed four-story buildings are out of character with the area, will exacerbate traffic and crush their quality of life.

"I think the biggest challenge is siting, in terms of finding a location which, on the one hand, is good for seniors and is convenient to services, and then on the other hand, also is responsive to the neighborhood that the housing might being going in," said Eric Feldmann, executive director and CEO of the Sisters of Charity Housing Development Corp.

LONG WAITING LIST

Feldmann's group will break ground in New Brighton later this year on 60 affordable apartments for low-income seniors, but he also has more than 3,000 people on a housing waiting list.

Funding for the federal, interest-free capital program the Sisters of Charity will tap to build the housing also shrank by 40 percent in the last 14 years, according to Public Advocate Betsy Gotbaum's report.

The study also found that the number of New Yorkers 65 and older is projected to rise by 44.2 percent by 2030, to 1.35 million. If seniors age 60 to 64 are taken into account, the city's senior population reached 1.35 million in 2006, the report noted.

Masucci is trying to tap the middle- and upper-middle-income demographic of the boom. He has said his Tides development is the first single-family-home, adult community in the city. The average age of buyers is 64, and prices for homes range from $499,000 to $669,000.

A resort-like clubhouse opened in December.

"We tried to create a community where residents can live amongst their peers," Masucci has said.

Seeing the area as primed for more residential and commercial growth, he recently filed plans with the BSA to create more senior housing on Androvette Street. That's where he assembled several properties, including two homes on large lots in an industrially zoned area.

While a limited amount of housing is permitted, Masucci must prove a hardship at the BSA in order to win approval to build his proposed 108-unit building.

Dee Vandenburg, president of the Staten Island Taxpayers' Association, has a problem with that.

She points out that the developer needs to create a pumping station to pump sewage from the site into the city sewer line. Concerns about private pumping stations prompted Councilmen James Oddo and Vincent Ignizio to introduce legislation this week that would require the city to seize pumping stations from homeowner associations that fail to maintain them.

Ms. Vandenburg and others say housing should not be permitted in manufacturing-zoned areas along the West Shore until there are infrastructure improvements. A city-sponsored West Shore study is already under way to determine those needs and establish a planning vision for the area.

"Something is going to be built on the West Shore, we know it, but if we don't have the infrastructure, you can't do it," she

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Will Congestion Pricing Have A Chance Under New Governor?

from advisers Lynch and Smith to get behind congestion pricing. There's no certainty that he will or, if he does, whether he'll make a major effort to get it approved in the short period of time before the deadline by which it must be approved in order to qualify for $354 million in federal government funding for the controversial plan.

Meanwhile, at this juncture, Weprin has been joined in opposition to congestion pricing by Queens Councilmembers Tony Avella, Peter Vallone Jr., James Gennaro, Helen Sears, Eric Gioia, Leroy Comrie, Thomas White Jr., Melinda Katz, and Joseph Addabbo Jr.

There's a vote on congestion pricing scheduled to come up in the council shortly. It should generate a lot of heat, since it provides a rare occasion where Quinn faces much opposition on a bill that she supports very strongly.

Is there a faint possibility that David Paterson newly installed replacement governor could be the key to giving Mayor Michael Bloomberg's congestion pricing plan a chance at being passed?

Meanwhile, Paterson, who was sworn in as Spitzer's successor on Monday, will be occupied with negotiating a new budget in his first days in office. But given the March 31 deadline on congestion pricing, only 12 days away, we think that issue will come up in the next few days, if not sooner.

PC KELLY TOPS MAYORAL POLL: NYPD Commissioner Raymond Kelly topped a field of five possible mayoral candidates in the 2009 election, drawing the votes of 22 percent of those polled in a Quinnipiac University poll released last Thursday.

Tied for second were Congressmember Anthony Weiner (D- Queens/Brooklyn) and Brooklyn Borough President Marty Markowitz, who each received 14 percent. Next came City Council Speaker Christine Quinn (D- Manhattan) at 13 percent, followed by Controller William Thompson and Public Advocate Betsy Gotbaum, tied at 8 percent. The undecided vote came out to 21 percent.

Kelly has not declared his candidacy nor even his intention to run, but a fair representation of people have made known their support of him for the city's top elective office.

The incumbent mayor, Michael Bloomberg, will be in office until the end of 2009, when his two-term tenure will end because of term limits.

Kelly does not list any party affiliation, but is expected to run as a Republican, if he does run. Supermarket magnate John Catsimatides, a Republican, has announced his intention to seek his party's nomination to run in 2009.

Most signs point to the plan, which faces a March 31 deadline to b e

approved by the state legislature and the City Council, being defeated by both those legislative bodies.

There has been consistent opposition to the plan in the Assembly and the same is true in the city council, despite the fact that it is backed by Council Speaker Christine Quinn and Bloomberg.

The mayor's plan, which calls for imposition of an $8 fee allowing motorists to drive below 60th Street in Manhattan, is strongly opposed by Councilmember David Weprin (D- Hollis) and nine other Queens lawmakers.

The mayor is trying to sell the proposal as a means of cleaning up the city's air and at the same time raising money to improve transit services.

Before resigning Governor Eliot Spitzer had supported the plan, but last week, his successor, Paterson, sidestepped when asked by reporters what his position was on the plan. He said he needed to study it more closely and perhaps discuss it with Bloomberg.

Governor David Paterson

However, two men very close to Paterson, Bill Lynch deputy mayor under David Dinkins, Paterson's former campaign manager, Luther Smith, both of whom have been advising him on his transition to governor, have been involved in advocating for the proposal.

Lynch's lobbying firm, Bill Lynch Associates, of which Smith is president, has been performing community outreach for the pricing plan for Communities United for Transportation Equity, an organization which sees congestion pricing as the vehicle to raise funds to make major mass transit improvements in underserved communities. One of those communities is Harlem, Paterson's home community and political base.

It appears there's a good possibility that the new governor will get a strong recommendation

JOHN TOSCANO
MARCH 19, 2008

Queens Chronicle
Your Community Newspaper

Blaney Honored For Service

(Damion Reid)

St. Albans Councilman Leroy Comrie, second from left, recently presented a City Council proclamation to city Deputy Public Advocate and community leader Elizabeth Blaney for her 28 years of service upon her retirement. With them, from left, are Councilman Kendall Stewart, Public Advocate Betsy Gotbaum and Council Speaker Christine Quinn.

March 20, 2008

The New York Sun

Mayor Marty? The Idea Entices From a Booth at Junior's

BY GRACE RAUH - Staff Reporter of the Sun
March 24, 2008
URL: http://www.nysun.com/article/73462

If Mayor Bloomberg's congestion-pricing plan is approved, the irrepressible Mr. Markowitz says he wants Manhattan car owners to pay a penalty, arguing it is only fair that those on the densely packed island be charged for the luxury and convenience of owning a car.

He is promising to push for broader rent regulations and says he supports keeping mayoral control over the public schools, but would give parents and teachers more influence in decision-making.

Marty Markowitz says he is only in the process of deciding whether to run for mayor, but he is sure sounding a lot like a candidate.

From a horseshoe-shaped booth at Junior's restaurant in downtown Brooklyn, Mr. Markowitz, the silver-haired career politician who as president of Brooklyn is known as the borough's most enthusiastic cheerleader, offered up policy positions and a potential campaign motto ("Keep it safe, keep it clean, keep it working") — clues to what the city might look like under Mayor Marty.

He is suggesting that Washington lawmakers be urged to designate New York City a national city and create a special funding source for it, and said his administration would look, in many ways, like the one crafted by Mr. Bloomberg.

"Competence, pragmatism as opposed to ideology. Doing what's right for New York without kowtowing to special interests and competency above all," he said.

Mr. Markowitz, who says he has Brooklyn in his DNA, even said he'd be willing to leave his beloved borough if elected and install himself in Gracie Mansion with his wife. He does have one caveat: "I wouldn't mind living in Manhattan — but living in Brooklyn on the weekends," he said during an interview with The New York Sun.

In most political circles, Mr. Markowitz's daydreams about running for mayor and winning have been dismissed as just that — dreams. Skeptics, though, may not want to discount the possibility that Brooklyn's most vocal promoter could enter the race and emerge as a serious contender.

After being left out of news reports and conversations centering on the leading mayoral candidates, Mr. Markowitz turned political heads in February when he led a poll of likely Democratic candidates for mayor.

He picked up support from 18% of Democratic voters asked in a WNBC/Marist poll which possible Democratic candidates they'd support if the 2009 mayoral primary were held that day.

Rep. Anthony Weiner came in second, with 13%. The speaker of the City Council, Christine Quinn, was at 11%, and the city comptroller, William Thompson Jr., and the public advocate, Betsy Gotbaum, each got 9%.

Mr. Markowitz said he was flattered by the attention, but dismissed the poll as a limited snapshot of the public's thinking, which he said offered little indication of the city's political future. His strong showing caught Mr. Bloomberg's eye, and the mayor took it as an opportunity to give his potential successor a boost.

"He's a character," Mr. Bloomberg told reporters after the poll was released. "Bloomberg's a character, Giuliani was a character, Dinkins was a character, Koch was a character, Beame was a character, Lindsey — I mean Marty Markowitz follows in a grand tradition and there's no reason why he couldn't be another one in a series of characters."

Mr. Markowitz, 63, grew up in Crown Heights and is a graduate of Wingate High School and Brooklyn College. He began his career as a tenant organizer and spent more than 20 years representing central Brooklyn in the state Senate before winning the Brooklyn presidency in 2001.

Being elected president of Brooklyn was the fulfillment of a nearly lifelong dream that began when he visited Borough Hall on a school trip at the age of 16 and met President Abe Stark.

As Mr. Markowitz deliberates whether to attempt to tack another chapter onto his lengthy political career, he said it helps that he already has achieved his primary professional goal. He admitted that running for mayor would be impossible without a key factor that helped him with the presidency.

"You have to have the passion. You have to have the heat," he said. "When I ran for borough president, I had the heat. And at this time, I still don't have the heat."

As of January 15, Mr. Markowitz had raised about $901,000 for a political campaign, according to the city's Campaign Finance Board. Mr. Thompson had raised about $4.2 million, Mr. Weiner about $3.6 million, and Ms. Quinn nearly $2.5 million.

He's been meeting with city leaders to talk about a potential run, and said that while some tell him he'd be out of his mind to run, others have said he has nothing to lose.

A run for mayor, however, could galvanize New Yorkers opposed to the Atlantic Yards development in downtown Brooklyn that Mr. Markowitz has trumpeted.

A spokesman for Develop Don't Destroy Brooklyn, Daniel Goldstein, said his organization "would look forward to a Markowitz mayoral run as it would make certain the failing Atlantic Yards project and the other egregious overdevelopment he has overseen in Brooklyn would be major issues in the race, as they should be."

Mr. Markowitz has said the project will bring affordable housing, in addition to a new city center and a professional basketball arena, to downtown Brooklyn. He appears to get as excited as a boy on a first trip to an amusement park when envisioning attending the first Brooklyn Nets game in the new stadium.

Mr. Markowitz said one challenge he would undoubtedly face if he ran for mayor would be convincing New Yorkers that he is not just a candidate for Brooklyn, but for the whole city. He said he is the potential candidate most strongly linked to a single borough, but to show that he is ready to look out for New Yorkers no matter where they live, he explained that the city's boroughs are like five children in a family.

"Each child has to be treated with the same love, and that's it," he said. "Now if you ask me my preference, of course, you always love – most families love their first child a little bit more."

"It's not uncommon, by the way," he said. "It's not uncommon."

NY1 News

Mar 25, 2008
Weather: Mostly Sunny. High: 52

Gotbaum Plans To Educate Seniors On Affordable Housing

March 21, 2008

Public Advocate Betsy Gotbaum said the city is not doing enough to educate seniors on their affordable housing options.

Gotbaum, a Democrat, says that out of nearly 1,000 seniors surveyed by her office, nearly 85 percent did not know about programs that can help save them money.

Gotbaum discussed the report as she toured a home for seniors on Staten Island, and brought attention to a program called Senior Citizens Rent Increase Exemption.

"There is a very good program called SCRIE, which is a rent reduction program for senior citizens, and only 38 percent of the people who are eligible for this SCRIE, this rent reduction, are using it," said Gotbaum. "So we need to get the information out, tell people who are eligible for SCRIE, that they should sign up for it."

Anyone looking for more information on affordable housing for seniors can call Gotbaum's office at 212-669-7200.

Gay City

NYC: Growing City Focus on LGBT Senior Housing

By: ANDY HUMM
03/27/2008

In a meeting March 20 at the LGBT Community Center, the New York Academy of Medicine, Services & Advocacy for GLBT Elders (SAGE), and City Council Speaker Christine Quinn held a forum to discuss the need for long-term planning for New York's growing senior population, including lesbians, gay men, bisexuals, and the transgendered. The Council projects that by 2030, the city's senior population will have grown by more than 40 percent from its current level. The Academy is hosting forums for a wide variety of communities citywide to complete a long-term needs assessment, and the Council is drawing on that effort to complete its own long-range plan stretching to 2030.

"You know the Academy of Medicine has a good idea when it is taken up as its own by the City Council," Quinn told the forum. She noted that in turn Mayor Michael Bloomberg had incorporated a focus on planning for senior housing needs into his State of the City speech in January.

A report issued this week by city Public Advocate Betsy Gotbaum on nearer-term housing solutions for senior New Yorkers noted that 75 percent of LGBT seniors live alone, 90 percent have no children, and 80 percent of them became seniors with no life partner, statistics that are likely to improve as younger gays, more open about their sexual orientation and more likely to have children, age.

Gotbaum's report examined housing alternatives for LGBT seniors and recommended that the city establish an "LGBT senior program" focused on housing and unmet needs.

CITY HALL

The Third Time, Siegel Hopes, Will Be the Charm

Saying he has learned from his losses, Siegel starts campaigning and fundraising early

By Edward-Isaac Dovere

THIS TIME, HE IS STARTING EARlier. This time, he is concentrating on raising more money sooner than ever before. This time, he will call on some former clients to speak for him, whether they be the parents of children whose right to have cellular phones in public schools he has defended or the firefighters he has represented in his Sept. 11-related cases.

This will be Norman Siegel's third race for public advocate. He still is not the expert on running, he said, but he is learning.

And the campaigns of Betsy Gotbaum (D), who beat him twice, have taught him some of the most valuable lessons.

The problem with running against Gotbaum was not himself or his message, he thinks. The problem was the political professionals she was able to hire, the strategy they crafted and the commercials she was able to place. Siegel took careful notes on everything. But what he noted most of all was the emphasis she put on raising money, which made all the rest possible.

"Watching what Gotbaum did in '05 and how the last 10 days they were on all the stations all the time, I want to make sure we have significant funds to do what we want to do," he said.

So, though he prepared a speech for his campaign kick-off event Feb. 25, he happily turned the microphone over to an elderly woman in the front row who interrupted him.

Cane in one hand, waving checkbook in the other, Marie Runyon screamed at the crowd to write checks.

"New Yorkers for Norman Siegel!" she shouted, holding up her pen and telling the crowd to put up their money. "S-I-E-G-E-L!"

Siegel stepped forward again. Using two microphones to compensate for the spotty speaker system, he welcomed the crowd. His loyal supporters were there. So were many of his clients, past and present, including the Grannies for Peace, the litigants in the Sept. 11 human remains cases, members of the black and Latino police officers groups, parents suing the city over the cell phone ban, HIV/AIDS advocates and Rev. Billy, the performance artist-activist who hired Siegel as his lawyer when he was arrested for reciting the First Amendment in Union Square Park.

"I love Damon Runyon characters," he said, looking out at the crowd. "And we got plenty of them."

To the people in this crowd, Siegel is a hero. He has been their lawyer, their representative, the man to stand beside them at rallies and lock arms with them at protest marches. They helped power him to the run-off in 2001 and mount a strong challenge to Betsy Gotbaum in 2005. But to actually win next year, he knows, he will need more.

"The idea this time of taking our core constituency, all the people that I've represented, zany characters and groups—keeping that constituency and expanding it," he said, "that's the plan."

After two campaigns, Siegel knows that some will tar him as a perennial candidate, running just to run. On the contrary, he said, he just wants to finally get his dream job. He never saw the office as a political stepping stone, and at 64, would even be satisfied with one term, supposing Mayor Michael Bloomberg successfully pushes for a charter change that eliminates the office.

"What I'm hoping is that enough people realize that if he's doing it a third time, he must really want this," Siegel said. "And then when they look at some of the other people this time, they'll say 'Let's give him a shot.'"

Council Member Eric Gioia (D-Queens) and Assembly Member Adam Clayton Powell IV (D-Manhattan) are expected to make the race. Manhattan Borough President Scott Stringer (D) and Council Members Robert Jackson (D-Manhattan) and Helen Foster (D-Bronx) are thought to be weighing runs as well.

Having so many elected officials in the race could splinter the party establishment, which Siegel believes would pave the way for him and his coalition of unusual suspects to squeak past.

But to get to that point, Siegel knows he will have to appeal not just to the Critical Mass riders, with whom he danced an impromptu can-can on the sidewalk before his speech to "Norman," an old polka tune by Big Lou the Accordion Princess. He will need to make some inroads toward the establishment through more events like Lawyers for Siegel, being held for him at the Harvard Club March 28.

So in between trying his cases, he has assembled a rag-tag group of volunteers to start getting his campaign apparatus in place. He has been making fundraising calls—though not as many as he should, he admits—and meeting with campaign consultants, both veterans and newcomers.

Advocacy he knows how to do. Politics is a different story. But in this campaign, he is willing to let others guide him more than he ever has before.

"I don't think I'm the expert on the political stuff," he said. "I'll listen. That's a difference."

In this, he says, two former clients—Council Member Hiram Monserrate (D-Queens) and State Sen. Eric Adams (D-Brooklyn), both of whom were hosts for the kick-off party—are particularly valuable.

He and Adams often discuss the campaign, with Adams advising him at every turn and appealing to fellow elected officials on Siegel's behalf.

"I have been speaking to them for almost a year now," said Adams.

Adams said he has been making some progress, but admits that with several established politicians considering the race, getting commitments has been difficult. He thinks, however, that the appeals may be beginning to work, with politicians ready to let term limits end their careers next year.

"Those who may not be running for something else can vote with their conscience and not with politics," he said.

Adams has even accompanied Siegel to certain political events.

Siegel called Adams' help priceless.

"I never had somebody who not only went through the process, but won, and who's doing okay now, who could potentially not only go with me to some of these things, but advise me about where some of the political minefields might be," he said.

Adams has also helped beat the fundraising drum. Looking out at the crowd at the campaign kick-off, he told them that helping Siegel was a simple matter of principle. Siegel had helped all of them, Adams told them. Now they had to step up and help him.

"We gotta raise the money. We gotta raise the money. We gotta raise the money," Adams told the crowd. "If Norman loses this race because he didn't have the money, then everything we say we stand for, we don't stand for."

So far, the approach seems to be working, Siegel said. Between opening a new campaign account last summer and the January filing, he raised just over $80,000, including several maximum $4,950 donations. That does not count the more than $40,000 generated by the almost 300 people who came to the campaign kick-off event. Put together with the money he already has in the bank, Siegel has already raised more than a third as much as he raised during the whole of the 2005 campaign.

This kind of response, he says, makes him confident that he made the right decision to try one more time.

"We're getting all this excitement and contributions, and we're still two years away," he said. "In the past, that didn't even happen in the year of the election. So something is percolating."

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