

OFFICE OF THE PUBLIC ADVOCATE

SEPTEMBER 2007

CLIPS

The New York Times

MANHATTAN: PANEL TO REVIEW SCHOOLS The city's public advocate, Betsy Gotbaum, announced yesterday that she had appointed a panel to examine the effectiveness of mayoral control over the city's public schools. The panel, called the Commission on School Governance, includes several prominent public figures, like Stephen Berger, who recently headed a commission on closing and consolidating hospitals throughout the state. Other members are Frank J. Macchiarola, a former city schools chancellor, and Herman Badillo, the former congressman. The commission is expected to hold several hearings and make recommendations sometime next year. Ms. Gotbaum, a critic of Mayor Michael R. Bloomberg and Chancellor Joel I. Klein, said the commission would "independently evaluate" the school management law and "present a balanced and impartial report." The City Council speaker, Christine C. Quinn, also announced yesterday that the Council had formed its own working group to look at the effectiveness of mayoral control.

Sept 20, 2007

JENNIFER MEDINA

DAILY NEWS

Elevated risk

'City official plunges to death in killer elevator." That might have been our headline, but Public Advocate Betsy Gotbaum developed a deep distrust of a creaky car in the Bushwick Houses and walked down to the street.

That's what a lot of Bushwick residents regularly do. Residents like Lillian Milan, who died of an asthma attack after hiking 10 floors up because the elevator was, as the expression has it, temporarily out of service.

New York City Housing Authority bosses remain in denial, insisting they're doing a swell job with their elevators. But numbers dug up by the Daily News' Adam Lisberg tell a distressing story. NYCHA's 2,700 buildings have 3,334 elevators. Last year the authority recorded 69,426 elevator failures. That's 190 per day. And, Teamsters Local 237 President Gregory Floyd informs us, there are barely 200 mechanics on the job — "far too few," he says, thanks to the "ruinous budget cuts" this page has previously noted. NYCHA has imposed austerity measures; even so, the agency faces a \$124 million deficit next year. Along with, we suppose, another 69,000 elevator failures.

SEPT 10, 2007
EDITORIAL

DAILY NEWS

BROOKLYN

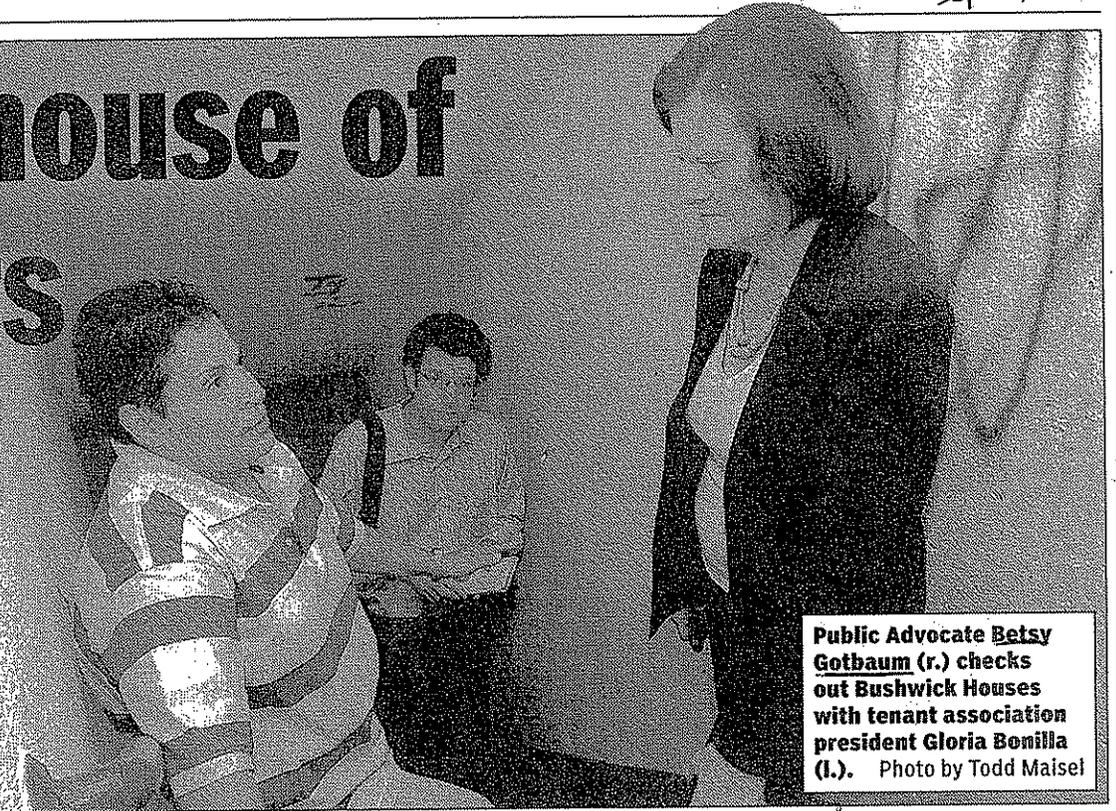
NEWS

Your 40-page
special local newspaper from
DAILY NEWS
NYDailyNews.com

Sept 11, 2007

Their house of horrors

Rats & filth
plague
complex



Public Advocate Betsy Gotbaum (r.) checks out Bushwick Houses with tenant association president Gloria Bonilla (l.). Photo by Todd Maisel

BY JOTHAM SÆDERSTROM

THE BROKEN ELEVATORS at a Brooklyn public housing complex that apparently led to the death of a tenant last month are just one aspect of the atrocious conditions there, according to people who live in the project.

Rats, filthy hallways, flooding in apartments, urine in the stairwells and excruciatingly long delays for household repairs also plague the Bushwick Houses, tenants said.

"[The hallway on] my floor hasn't been mopped for more than a month," said Bushwick Houses tenant association president Gloria Bonilla. "It's enough to make anybody upset because nobody in the building is cleaning up the damn place."

The infamous eight-building housing project is under heavy scrutiny following the Aug. 20 death of asthmatic tenant Lillian Milan, who died gasping for air while climbing the stairs to her 10th-floor apartment after elevators broke down.

But tenants said the problem goes beyond the elevators.

"It's unsanitary to live here," said tenant Ana Gonzales. "The conditions are horrible here. Terrible."

Robert Robles said his father's first-floor apartment has flooded five times this year, most recently last month, when the place was filled with 3 inches of sewer water during a heavy rain.

During that storm, a brand-new \$300 carpet that Robles and his father,

Tony Robles, recently laid down was destroyed, as were boxes of CDs and DVDs and other items.

"When it rains heavy, every apartment on the first floor gets flooded," said Robert Robles, 38, who said all four apartments on the floor routinely get soaked. "Every time."

Others, like MaryLou Ortiz, 42, and Jason Lopez, 23, bemoaned the garbage-strewn stairwells and hallways that have become living nightmares for tenants to navigate.

Both tenants slipped in urine and took nasty falls while climbing stairwells in their Flushing Ave. building. In each case, the angry tenants were forced to climb stairs because the elevators were out of service, they claim.

"I had to scrub myself with peroxide before the ambulance came," said Ortiz, who was treated for bruises at Woodhull Hospital following the Aug. 24 fall.

City Housing Authority spokesman Howard Marder said one caretaker is assigned to maintain and clean each 13-story building in the Bushwick Houses.

He also said the agency is trying to address residents' concerns about rats.

"We don't provide round-the-clock janitorial service, so beyond the caretakers' daily shift, during the evenings, and on weekends, we count on residents to properly discard their garbage and to not cause unsanitary conditions in the buildings that are their homes," Marder said.

DAILY NEWS

Gotbaum hits special ed hangups

BY CARRIE MELAGO
DAILY NEWS STAFF WRITER

HELP IS NOT just a phone call away for parents of some city special education students, Public Advocate Betsy Gotbaum says.

About half of the 45 calls made to the city offices designed to assist parents of kids with special needs were not answered or returned, according to a report released yesterday by Gotbaum's office.

Parents of special-education kids echoed the complaints in the report.

"The most frustrating thing about my whole ordeal is that you cannot get anybody on the telephone," said Elizabeth of Queens, whose 6-year-old son is partially paralyzed.

Elizabeth, who asked to be identified only by her first name, said school offi-

cial told her that her son would be put in first grade in a new school with a small student-to-teacher ratio. She learned in late August there was no room for him in the class.

After several weeks of calling a city Committee on Special Education office, Elizabeth was finally told Wednesday that a new school had been located for her son, she said.

The city Education Department said some phone numbers for CSE offices were not updated when the department's new Web site was launched several weeks ago, but the errors are being corrected.

Still, education officials said the CSE offices are intended for parents of kids who are new to the public school system. Officials encouraged parents to resolve problems through school-based special education teams.

cmelago@nydailynews.com

FRIDAY, SEPT 14

HOW

NUEVA YORK

Sept 17, 2007

Casero de Harlem contra la pared

Piden incluir 21,000 inquilinos en demanda colectiva



» Denuncia de abusos. Inquilinos de los edificios Pinnacle de Harlem han hecho varias protestas. (foto: Cortesía)

Edwin Andrés Martínez Tutek
edwinmartinez@hoy.com

El dueño de varios edificios en Harlem podría tener un nuevo dolor de cabeza si una corte autoriza la inclusión de 21,000 inquilinos en una demanda instaurada en su contra hace dos meses por un pequeño grupo de residentes.

Así lo dio a conocer la defensora Pública **Betsy Gotbaum**, quien explicó que la petición fue presentada para actualizar la demanda que se sigue contra el grupo Pinnacle y el dueño Joel Weiner para convertirla en una acción colectiva con todos los inquilinos que viven en los edificios de su propiedad.

En julio pasado, un grupo de habitantes de las viviendas de Pinnacle de Harlem interpuso la acción legal a nivel federal seña-

lando cargos de crimen organizado cometido por la compañía. Los inquilinos adujeron que la compañía no solo falló en su obligación de proveer reparaciones de calidad en sus apartamentos sino que además violó leyes de renta estabilizada, practicó desalojos ilegales y acosó a muchos arrendatarios para que abandonaran sus viviendas y así aumentar los precios de alquiler.

Un vocero de Pinnacle dijo que las acusaciones que los demandantes han hecho no tienen validez y en especial negó que hayan presionado a los inquilinos para abandonar sus apartamentos.

Una fuente cercana al pleito legal que se lleva en la Corte dijo que los representantes de Pinnacle estaban tratando de negociar con sus demandantes ini-

ciales para no tener que asumir un juicio. Pero ahora, si la Corte acepta la inclusión de los 21,000 inquilinos, las cosas se le podrían poner color de hormiga a la compañía porque el impacto sería mayor.

Newsday

NEW YORK CITY

Push on to promote bike safety

THE ASSOCIATED PRESS

City officials announced a \$1 million bicycle-safety campaign yesterday intended to reduce the number of car-bike crashes by getting drivers and cyclists to watch out for each other.

"Collisions happen when either motorists or cyclists are not paying attention," said Janette Sadik-Khan, the city's transportation commissioner.

Sadik-Khan joined bike advocates and representatives of other city departments to announce a public-service campaign that will appear on bus shelters and kiosks, and in print and broadcast spots.

"We want to beg drivers, insist that they share the road with bicyclists," said city Public Advocate Betsy Gotbaum.

The campaign was created pro bono by the ad agency Publicis.

"Avoiding a crash comes down to one simple action," one ad reads. "Look."

A study released by the city last year found that 225 cyclists were killed and nearly 3,500 injured by cars between 1996 and 2003.

Sadik-Khan said that 300 cyclists were seriously injured last year, 94 percent of them due to inattention or failure to follow traffic signs.

In addition to the ad campaign, the city is aiming to boost bicycle ridership by adding bike lanes and giving away thousands of free helmets.

Bike advocates said they hoped the public-service campaign would prod drivers to share the road.

"A lot of cars will honk at you and be like 'Get off the road. Get on the sidewalk,'" said Sarinya Srisakul, vice president of the New York Bike Messenger Foundation. "Or they'll just cut you off without looking."

Sept 19, 2007



NEW YORK POST

25
CENTS

LATE CITY FINAL

City hit on contraception

The city is not yet living up to its promise to make emergency contraception easily accessible, according to a study released yesterday by the public advocate.

Only 15 of 38 teenage health clinics operated by the Health and Hospitals Corp. have emergency contraception available for same-day pickup, Public Advocate Betsy Gotbaum said.

Emergency contraception prevents unintended pregnancies," Gotbaum said.

"Women shouldn't be forced to scramble in the case of an emergency."

Mayor Bloomberg announced in 2005 a \$1 million awareness campaign to boost access to emergency contraception. Studies have shown that more than 60 percent of New York City pregnancies are unintended.

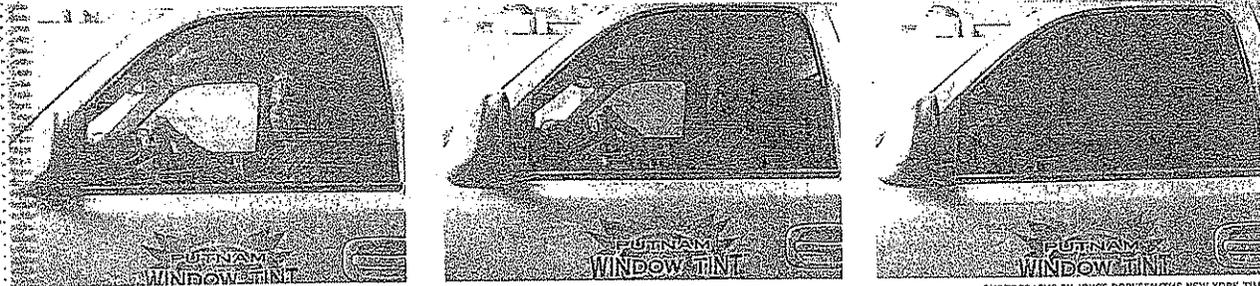
Here is the reality:

Post Wire Services

Sept 24, 2007

The New York Times

Seeing the Light. Then Again, Maybe Not.



PHOTOGRAPHS BY JOYCE DOPKEEN/THE NEW YORK TIMES

FADE TO BLACK Stephani Bellofatto, an employee at Putnam Window Tint in Mahopac, N.Y., demonstrates the different levels of tint. From left, a tint that allows 51 percent of the light through, 38 percent and 5 percent. The federal standard for automakers in most cases is 70 percent. *Sept 23, 2007*

By ROY FURCHGOTT

THE way the New York City public advocate, Betsy Gotbaum, sees it, Officer Russel Timoshenko might be alive today if it weren't for tinted car glass. In July, the officer was shot and killed, and his partner, Herman Yan, was wounded by assailants hidden from view by the dark tinted windows of an S.U.V.

"Police officers are putting their lives on the line every time they approach a car with blacked-out windows," she said.

As a result, Ms. Gotbaum has called for stricter tint laws, hoping to make New York State's already restrictive limits on window tinting even more imposing. But even though New York has one of the toughest tint laws in the nation, it and other states have found it difficult to get cars with dark windows off the streets because of exceptions to their own rules and conflicting federal standards.

Window tint laws can be confusing partly because there are federal standards and state standards, and each state has its own. (The International Window Film Association's state law chart is at iwfa.com/industry.htm.)

There are also different rules for trucks, including S.U.V.'s. Worse, because of differing state laws, a darker tint that is legal in, say, Connecticut, could get you a ticket while driving through New York.

Car manufacturers live by the rules of the National Highway Traffic Safety Administration. All car windows from the manufacturer must allow 70 percent of visible light through. What people think of as untinted car windows are actually a 70 percent tint. The federal rules for trucks, which includes S.U.V.'s, are less stringent. They are required to have a clear windshield and front windows.

Back and rear windows can be tinted to any darkness if the vehicle has side mirrors. Almost all factory tints are pretty dark, allowing in only about 20 percent of the light.

The National Highway Traffic Safety Administration determines what qualifies as a truck based on its intended use. "There is a little bit of wiggle room as to what you can classify as a truck," said Bob Dalios, an engineering group manager for General Motors. For instance, the Chrysler PT Cruiser is classified as a truck.

Once owners get their cars from the dealer, they are held to state tinting standards. New York, for example,

Window tint laws vary among states, with New York among the strictest.

keeps the federal standard of 70 percent for all but the rear window, meaning owners cannot tint the other windows at all. The rear window can be tinted to any darkness if the car has mirrors on both sides.

But there is a Holland-Tunnel-size loophole. Cars classified as multi-passenger vehicles can have any tint on the back and rear windows, provided the vehicle also has side mirrors. By New York statute M.P.V.'s are described as any vehicle "designed to carry 10 persons or less and constructed either on a truck chassis or with special features for occasional off-road operation."

That comprises a broad variety of vehicles including S.U.V.'s, minivans, limos and trucks.

In New Jersey, no tint may be applied to the front driver or passenger window

of cars or S.U.V.'s. The rest of the windows can be tinted to any darkness if the car has two side mirrors. Cars in Connecticut may tint front and back windows as long as 35 percent of visible light comes through the tint. Back windows can be any darkness provided there are two side mirrors. For S.U.V.'s, only the front windows are held to the 35 percent standard; back and rear windows can be tinted to any darkness as long as there are two side mirrors.

Less stringent states, particularly those in the Sun Belt, allow darker tint. In Arkansas, front and back windows and the top of the windshield can let through as little as 25 percent of visible light.

Automakers put their tint right into the glass, but aftermarket tints are films applied on the windows with adhesive. There are two broad categories of window films with different characteristics: those that reflect light and those that absorb light. Reflective films are metallic; absorptive films have dyes, pigments or ceramics in them.

States also vary on how reflective a film may be and the allowable color of the tint. Some have a medical exception that lets drivers use extra-dark tint if a doctor says they are sensitive to light.

While cars with tints that are legal in their home state can be ticketed in a more restrictive state, state troopers said they are unlikely to stop a car for illegal tint alone. For example, a law in Georgia that would have enforced tint laws only on cars registered in the state was thrown out in court as discriminatory against residents. The tint law now applies to cars passing through Georgia, but the police say they largely don't enforce it. Nor is New Jersey's law widely enforced.

"It's a violation of our motor vehicle law, but are we going to cite you each and every time you come through the

state? No," said Dennis Hallion, a New Jersey state trooper and chairman of the National Troopers Coalition.

Still, the law gives some lawyers civil rights concerns. "It's one of those traffic regulations that lets police search anyone, anywhere, whenever they want to," said Albert Alschuler, a professor of law at Northwestern University Law School in Chicago.

The bill to tighten New York's law is being drafted by State Senator Eric Adam of Brooklyn, a former policeman. The proposal includes amending the law to prohibit unlimited tinting of the rear windows and including tint as an item on annual car inspections. It would increase penalties on drivers, including a \$250 surcharge, money that would go into a fund for officer safety and training and for enforcement, and penalize shops that install illegal window films. It would also require shops to record the license plates of cars it tints, the license of the driver buying the tint and the darkness of the tint installed.

Shops said the proposal would be a hardship. "It would pretty much crush the automotive tinting business in New York State," said Jim Murphy, owner of Putnam Window Tint in Mahopac, N.Y. Mr. Murphy, who said his shop tints about 1,200 vehicles a year, said he would support a limit of tint that allows 50 to 35 percent of visible light through.

Car owners say they like the tint because of the way it looks, the privacy it provides and the way it protects skin and upholstery from the sun while keeping the car's interior cooler.

John Cervoni, 44, of Bayside, Queens was stopped twice for illegal tint in the last six months. Mr. Cervoni said he paid the tickets and kept the film.

"It's like \$35," he said, "and it's a small price to pay to keep a \$200 tint job."