



Community Board 12 - Manhattan
Washington Heights & Inwood
530 West 166th St. 6th Floor, New York, NY 10032
Phone: (212) 568-8500, Fax: (212) 740-8197
Website: www.nyc.gov/mcb12

George Fernández Jr. - Chairman
Eberezer Smith, District Manager

September 26, 2014

Mr. Christopher Thompson
Executive Director
Community Options
350 Fifth Avenue Suite 2622
New York, NY 10118

Hon. Kerry Delaney, Acting Commissioner
NYS Office for People with Developmental Disabilities(OPWDD)
44 Holland Avenue
Albany, NY 12229

Re: 2360 Amsterdam Avenue 1 (PH1)

Dear Mr. Thompson & Acting Commissioner Delaney:

At the General Meeting on Tuesday, September 23, 2014 Community Board 12-Manhattan passed the following resolution with a vote of (21)in favor, (9)Opposed, (4)Abstain, objecting based on Mental Health Law Section 33.02 to Community Option's Inc. proposed plan to place up to four persons with developmental disabilities in a community residential facility to be located in PH1 at 2360 Amsterdam Avenue.

Whereas: Community Options, Inc. in conjunction with the NYS Office of People with Developmental Disabilities (OPWDD) Informed Community Board 12, Manhattan (CB12, M) on June 24th, 2014 of its intent to establish and place four clients in a community residence in a condominium located in Penthouse 1 (PH1) at 2360 Amsterdam Avenue, New York, NY 10032; and

Whereas: Community Options, Inc. agreed and informed the board during its summer recess to waive its rights as required by the Mental Health Law Section 41.34 beyond the forty-five day determination period CB12M's Housing and Human Services Committee held a public hearing on September 4th, 2014 and Community Options, Inc. presented their plans and answered questions from the Housing and Human Services Committee and the public regarding the proposed facility; and

Whereas: Community Options, Inc. is in search of a new home for its developmentally disabled clients, who have aged out of a residential juvenile educational facility and who wish to reside in the community for the rest of their lives, fully accessible to normal life-enriching experiences close to their families and friends, and each person living in this purposed community residence will attend a day habilitation program or work each weekday; and

Whereas: Community Options testified that these clients ages 21 to 28 will be supervised by residential OPWDD certified staff 24hours a day at the residence, who prepare daily meals, consult with senior managerial staff and nursing services to ensure that residents take care of themselves, and provide recreational activities in the evenings and on weekends; and

Whereas: The HHS Committee requested Community Options, Inc. to complete and notarize a detailed five page "OPWDD Placement Information Request" form so that the HHS Committee could make reasonable findings and make determinations regarding the safety and habitability and ADA Compliance of the proposed placement living

spaces, all these efforts exposed a lack of transparency, due diligence and completeness by Community Options, Inc; and

Whereas: The applicant failed to provide the requisite listing of existing OPWDD-supported facilities in our community so that the committee could reasonably and properly evaluate the application, and this is basic and necessary information that state law requires be provided to the community board; and

Whereas: A number of the building's current resident-owners at the public hearing testified and corroborated the building's problems of the building and the units; and

Whereas: Community Options primary defense was a request to trust that the unit's and the properties' safety and habitation issues would be addressed the HHS Committee expresses concerns given the very preliminary effort made by this organization to discover the condominium's legal issues and property conditions *in situ*, transparency, and the lack of material evidence that this organization presented at the public hearing; now therefore be it

Resolved: Objecting based on Mental Health Law Section 33.02 to Community Option's Inc. proposed plan to place up to four persons with developmental disabilities in a community residential facility to be located in PH1 at 2360 Amsterdam Avenue, New York, NY 10032; and be it further

Resolved: Community Options, Inc. may re-submit this OPWDD Placement without prejudice and request another public hearing with a revised and completed plan including detailed certified architectural drawings with dimensions, all ADA compliance, not limited to but including the penthouse stairs, the terrace, and remediation of the unit and legal issues associated with the condominium's board of managers approval of the contract of sale and other timely notices.

Sincerely,


George Fernandez Jr.
Chair

cc: Hon. Bill de Blasio, Mayor
Hon. Gale Brewer, Manhattan Borough President
Hon. Leitia James, Public Advocate
Hon. Scott Stringer, Comptroller
Hon. Adriano Espaillat, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Gabriela Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member



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Hon. Kerry Delaney, Acting Commissioner
NYS Office for People with Developmental Disabilities(OPWDD)
44 Holland Avenue
Albany, NY 12229

Re: 456 W 167th St. Units 2E and 4E

Dear Mr. Thompson & Acting Commissioner Delaney:

At the General Meeting on Tuesday, September 23, 2014 Community Board 12-Manhattan passed the following resolution with a vote of (21)in favor, (9)Opposed, (4)Abstain, objecting to Community Option's plan to place three clients in a condominium located in 456 West 167th St. (Units 2E and 4E) based on the fact that no determination of the unit safety and sanitary conditions could be made.

Whereas: Community Options, Inc. in conjunction with the NYS Office of People with Developmental Disabilities (OPWDD) informed Community Board 12, Manhattan (CB12, M) on June 24th, 2014 of its intent to establish and place three clients each in two separate community residences in a condominium located in 456 West 167th Street (Units 2E and 4E) New York, NY 10032; and

Whereas: Community Options, Inc. agreed and informed the board during its summer recess to waive its rights as required by the Mental Health Law Section 41.34 beyond the forty-five day determination period CB12M's Housing and Human Services Committee held a public hearing on September 4th, 2014 and Community Options, Inc. presented their plans and answered questions Housing and Human Services Committee and the public regarding the proposed facility; and

Whereas: Community Options, Inc. is in search of a new home for its developmentally disabled clients, who have aged out of a residential juvenile educational facility and who wish to reside in the community for the rest of their lives, fully accessible to normal life-enriching experiences close to their families and friends, and each person living in this purposed community residence will attend a day habilitation program or work each weekday; and

Whereas: Community Options testified that these clients ages 19 to 23 will be supervised by residential OPWDD certified staff 24hours a day at the residence, who prepare daily meals, consult with senior managerial staff and nursing services to ensure that residents take care of themselves, and provide recreational activities in the evenings and on weekends; and

Whereas: The HHS Committee requested Community Options, Inc. to complete and notarize a detailed five page "OPWDD Placement Information Request" form so that the HHS Committee could make reasonable findings and make determinations regarding the safety and habitability and ADA Compliance of the proposed placement living

spaces, all these efforts exposed a lack of transparency, due diligence and completeness by Community Options, Inc; and

Whereas: The applicant failed to provide the requisite listing of existing OPWDD-supported facilities in our community so that the committee could reasonably and properly evaluate the application, and this is basic and necessary information that state law requires be provided to the community board; and

Whereas: Community Options primary defense was a request to trust that any unit they acquire would be made safe with no habitation or ADA compliant issues the HHS Committee expresses concerns given this organization's testimony on these units was absent at the public hearing and no material evidence such as architectural renderings presented suggests that the acquisition of these units are no more than conjecture; now therefore be it

Resolved: CB12M objects to Community Option's speculative plan to place three clients each in two separate community residences in a condominium located in 456 West 167th Street (Units 2E and 4E) New York, NY 10032 based on Mental Health Law Section 33.02 and the fact that no determination of the units safety and sanitary conditions could be made; and be it further

Resolved: Community Options, Inc. may re-submit this OPWDD Placement without prejudice and request another public hearing with a revised and completed plan including detailed certified architectural drawings with dimensions, all ADA compliance and remediation these units, and any legal issues associated with the condominium's board of manager's approval of the contract of sale and other timely notices.

Sincerely,



George Fernandez Jr.
Chair

cc: Hon. Bill de Blasio, Mayor

Hon. Gale Brewer, Manhattan Borough President

Hon. Letitia James, Public Advocate

Hon. Scott Stringer, Comptroller

Hon. Adriano Espaillat, State Senator

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