

**Community Board 12, Manhattan**  
**Minutes for the Housing and Human Services Committee Meeting**  
**September 3<sup>rd</sup>, 2015 – Office Meeting Space**  
**530 West 166<sup>th</sup> Street – 6<sup>th</sup> Floor**  
**New York, NY 10032**

**Committee Members Present (5):** Richard Lewis (Chair), David Mattera, Ayisha Ogilvie, Estevan Nembhard and Jay Mazur.

**Committee Members Absent (3):** Katherine Diaz, Barbara Frazier and Felipe Wityk Sanchez.

**Public Member Absent (1):** Christina Burgess.

**Public (6):** Manuel Belliard (Council Member Mark Levine's Office), Joel Yoffie, Cheryl Miller, Daniel Moraff (Met Council on Housing), Sara Fisher (Friends of Inwood Hill Park), Bettina Damiani.

**Staff:** Paola M. Garcia.

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**Tenant's Conference Meeting held** at 6:30pm with the HHS Committee's Chair (prior to the above meeting) Building: 600 West 192<sup>nd</sup> Street – Attendees (6): B. Cestero, Fe Florimon, Roberto Fernandez, Z. Castello, Jose Carrillo and Yhanka Veras.

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**Welcome, Opening Remarks, and the Agenda.** Richard Lewis, HHS Committee Chair called the meeting to order at 7:15pm. Arrangements were made to record the meeting to a digital audio file on an OLYMPUS (c) handheld device. The Chair welcomed all committee members back from the summer recess. Board members introduced themselves as did members of the public present. A quorum was present for the meeting. Topics for tonight's agenda were outlined, but was later changed by committee agreement to allow new business matter presentation by Met Council and a tenant representative from 221 Seaman Avenue on a MCI matter. The resolution and discussion on sheds and scaffolds was withdrawn so that data on their number in our community could be obtained.

#### **HHS Committee Chair's Report**

This has been an active summer of meetings, special events, and organizing activities despite the board's recess.

- The Chair attended both meetings called by the Manhattan Borough President, Gale A. Brewer at Hunter College of Social Work in East Harlem on NYCHA's NextGeneration Plan. An additional meeting was held at Baruch College in lower Manhattan. The panel of NYCHA Officials included Michael Kelly, General Manager- Brian Clarke Senior Vice President for Operations - Brian Honan, Director, State & City Legislative Affairs-Luis Ponce Senior Vice President for Operations Support Services and several others. Both meetings were well attended by NYCHA residents and Resident Association heads, some electeds, several CBO's and the general public. Attention was paid to listening to the problems on both sides and meaningful steps to resolve them were agreed upon beyond just the platitudes of 'better communication', 'openness' and 'transparency'. Such terms were looked upon by some NYCHA residents as a means of co-optation.
- **INWOOD NYC.** The Chair attended a meeting and workshop on further planning efforts, needs analysis on various issues that will confront the further development of the proposed **INWOOD NYC** initiative. It was held at the Manhattan Bible Church. Electeds, our board chair, George Fernandez, community residents, CBO's and city agencies were present. The event was sponsored by NYC EDC. Participants were grouped in various sections, e. g., Housing, Parks, Transportation, Waterfront development, Education, etc.). Poster presentations were shown and discussed. This was the second of several meetings that will take place on this project initiated by Council member Ydanis Rodriguez.
- The Chair attended a meeting at the Shabazz Center that was presumably called for commercial rent control and related issues on small business survival in our community. What specifically provoked the meeting was

the forcing out local business ('mom and pop' shops) with excessively high renewal leases on the Broadway strip at West 163<sup>rd</sup> Street in lower Washington Heights. While most everyone agrees that spiraling commercial rents are making it almost impossible for many "mom-and-pops" to survive. There are disagreements about the best solution to the problem. Such was the changing tone of the meeting that became highly political. There was opposition to the Manhattan Borough President's (MBP's) proposed legislation with City Council Small Business Committee Chair Robert Cornegy to remedy this situation and if approved by the City Council, would set up a mediation system for rent renewals between commercial tenants and landlords <http://manhattanbp.nyc.gov/downloads/pdf/SmallBusinessBigImpactFINAL.pdf> .

Other groups present at the meeting favored an alternative plan, the **Small Business Jobs Survival Act** (SBJSA) that also includes mediation but adds mandatory arbitration when necessary. The Small Business Jobs Survival Act has been knocking around the City Council in various forms since the mid 1980s. It's always been vigorously opposed by the real estate industry, e.g., REBNY. The Small Business Jobs Survival Act is meant to give commercial tenants rights that they now lack. The MBP's plan it was stated "does the opposite, giving no rights to the business owners except for one year to find a place to move." <http://www.nypress.com/local-news/20150722/the-battle-over-small-business/2> Comments from the community present were solicited at the meeting with no resolution on how to fix this problem or when new meetings would be held.

- With the approval of our board chair, testimony was given on telecommunications in our district at a Public Service Commission (PSC) New York City Public Hearing held at the NY Institute of Technology NYC on June 15 2015. The hearing was held to solicit responses to the recently issued Department of Public Service Assessment Report on the State of Telecommunications in New York <http://www.dps.ny.gov/TelStudy/>

The 97 page report essentially gave too much credit to the telecommunications industry efforts in our state and city. It was weak on enforcement efforts needed by the PSC, particularly in the broadband and the need to better monitor this industry. In fact, questions were asked about just who does the PSC represent? Despite the plethora of data and charts in the report there was too many misconceptions about localities in the state and no organizations that testified had positive words for the report. One of the assumptions criticized by the chair in the report was the assumption that all of NYC had broadband at 5Mbps and the rest of NYS had broadband at much less speed. In fact, the reverse was true and particularly in our district where FIOS or FTTH (Fiber optics to the home) distribution is very incomplete. As far as telecommunication is concerned we as a nation and state are still very far behind the rest of the world offering broadband speed to all our communities. In fact event the current 50Mbps offering at reasonable costs is considered slow. See "Verizon broke its promise to deliver fiber-optic broadband to residents, says city" <http://www.craigslist.com/article/20150618/TECHNOLOGY/150619861/verizon-broke-its-promise-to-deliver-fiber-optic-broadband-to-residents-says-city>

The additional complaints echoed by the Communication Workers of America (CWA) were the removal of copper wiring for many communication services by Verizon. There is not only a lack of redundancy (should fiber transmissions fail) but also Verizon in not taking sufficient preventive maintenance on the copper cabling it still has in their CO's and the street). The NYC Controller's Office and Council member Ben Kallos were extremely critical of the PSC report. For more information see all the testimony given at this 3 hour public hearing <https://www.youtube.com/watch?v=nCnUtaDyEp0>

- Attended at Communications Workers of America protest rally near the World Trade Center and Verizon Headquarters. About 6,000 CWA union red shirted workers attended with an abundance of signs. Electeds and union official s spoke about issues with Verizon. The union is in heavy contract negotiations with the company.
- Attended a meeting with **Project Renewal (PR) at the Fort Washington Men's Shelter (FWMS)** in the 168<sup>th</sup> Street Armory. The meeting was called by our board's chair in response to the recent incident of aggressive panhandling by homeless individual and a DNAinfo news article and video of a fight with the owner of

Coogan's restaurant and one of the clients of the FWM. The incident occurred in the front of the restaurant. <http://www.dnainfo.com/new-york/20150729/washington-heights/video-owner-of-coogans-restaurant-fends-off-attack-from-homeless-man> and <http://www.dnainfo.com/new-york/20150810/washington-heights/growing-number-of-men-from-uptown-shelter-menacing-neighbors-locals-say>

There has been an increase of homeless populating in the city to an all time high of nearly 60,000 and other acts of violence have occurred at another larger men's shelter in Chelsea. See <http://www.dnainfo.com/new-york/20141215/chelsea/emergency-responders-called-chelsea-shelter-nearly-1900-times-this-year> Several Community leaders and businesses attended the meeting as well as representatives from the Department of Homeless Services (DHS, the Board Chair of Project Renewal and Emma Grahame, the Project Renewal Director of the FWMS. All of their clients are mentally impaired chemical abusers (MICA) - the most difficult group to rehab or manage with co-diseases and one where there is no cure. Ms Grahame reported that the rise of K2 drug use amongst their clients that has exacerbated the problem.

DHS announced that the FWMS will be receiving by the end of next week five "Peace Officers" and a sergeant. Peace Officers can make arrests. They are currently in training, but per the proportional number of homeless clients at other shelters they have more of these officers. "DHS Assigns Two Dozen Peace Officers to BRC" <http://chelseanow.com/2014/10/dhs-assigns-two-dozen-peace-officers-to-brc/> They will coordinate their operations with the 33<sup>rd</sup> Pct and Project Renewal security/staff. Captain Wilson Arambales announced that there will have a Monday to Saturday patrol (2 officers) stationed at the corner of West 168th Street given the density of panhandling at this busy corner. He also reported the arrest of 8 Project Renewal Clients who have outstanding warrants. Columbia University's Director of Security reported that some 20 of the same clients of the FWMS have been harassing their nursing students and she has turned over video tapes to PR. This harassment continues daily. Panhandling continues to be problem and one mother complained that a homeless person was causing problems with her children. It was suggested that some kind of outdoor gathering space or other in-house activity may be needed to give clients another option instead of walking the streets.

When asked by the HHS Chair what is the success/failure data on how many of their clients eventually leave the shelter for supportive housing, PR reported that on the average only 15% or some 30 of their 200 clients that hold on for a year are fit that criteria. DHS tried to lessen this poor showing by suggesting that this data was hard to come by. The issue however is that it is not impossible to obtain. While community attendees continue to give PR their reality of conditions outside the armory building, PR and DHS gave the appearance of holding a counseling session in an attempt to re-invent that reality. The next meeting is planned at the FWMS on September 28<sup>th</sup> at 6pm.

A discussion on this matter ensued with committee members who expressed their concern. The chair will keep them informed over any progress made.

- **Tenant Interim Lease/ DAMP HDFC Cooperative meeting.** A joint meeting with representatives from HPD, Pa'lante Harlem, Council member Mark Levine was held at 99 Fort Washington Avenue on the Tenant Interim Lease (Program. TIL assists organized tenant associations in City-owned buildings to develop economically self-sufficient low-income cooperatives where tenants purchase their apartments for \$250. Tenant associations enter into a lease with the City to maintain and manage the buildings in which they live. <http://www1.nyc.gov/site/hpd/developers/development-programs/til.page>.
- There was discussion on the New Law Offers Housing Fund Development Corporations Created Through Tenant Interim Lease and Community Management Programs (TIL and CMP) the Opportunity to Resolve Tax Arrears as well as mortgage programs available to help fix needed building and apartment repairs. These repairs have gone on for decades without a positive resolution due the lack of available funds. Community residents were critical of HPD on this matter, including the issue of renting vacant apartment units This is

forbidden by law. The issue here is that HPD wants to use these units to generate substantial income by selling them and renting them may lead to apartment possession issues and court battles. It was suggested to HPD to explore whether they could be leased on a limited free market basis as a type of sublet. HPD will get back to them on these issues. About 300 attendees were present including electives.

#### Source Documents Released at the Meeting.

The following source documents (13) were distributed or made available at the meeting:

- Notice from the Lantern Group on a Proposed Construction of Supportive Housing at 444-446 West 163<sup>rd</sup> Street a/k/a "Savannah Hall". Office copy available for inspection upon sufficient notice and written request.
- "CITY HALL SHAKEUP—"Advocates surprised by departure of deputy mayor for health. <http://www.capitalnewyork.com/article/city-hall/2015/08/8575656/advocates-surprised-departure-deputy-mayor-health>
- The mayor's op-ed, which discusses plans to tackle homelessness: <http://www.nydailynews.com/opinion/bill-de-blasio-quality-life-article-1.2341066>
- New Law Would Rid City of Derelict Scaffolding Sheds. <http://www.dnainfo.com/new-york/20150827/central-harlem/new-law-would-rid-city-of-derelict-scaffolding-sheds>
- Local Law 11 Following the New Guidelines. <http://cooperator.com/article/local-law-11>
- LOCAL LAWS OF THE CITY OF NEW YORK FOR THE YEAR 1980 No. 10. [http://www.nyc.gov/html/dob/downloads/pdf/ll\\_1080.pdf](http://www.nyc.gov/html/dob/downloads/pdf/ll_1080.pdf)
- NEW YORK CITY HOMELESSNESS The Basic Facts <http://www.coalitionforthehomeless.org/wp-content/uploads/2015/09/NYHomelessnessFactSheet07-2015.pdf>
- Summary on How NYC Places its Homeless Shelters. [https://comptroller.nyc.gov/wp-content/uploads/documents/20130509\\_NYC\\_ShelterSiteReport\\_v24\\_May.pdf](https://comptroller.nyc.gov/wp-content/uploads/documents/20130509_NYC_ShelterSiteReport_v24_May.pdf)
- Doin' It In The System – Andrew Cuomo 1990's Commission A New Direction in Social Policy <http://www.berghahnbooks.com/title.php?rowtag=MarcusWhere> and <https://books.google.com/books?id=iWJQbXzR0C&pg=PA79&lpg=PA79&dq=Doin%27+It+In+The+System&source=bl&ots=apM9txHtSP&sig=9u7MgLMdb8H3EexBVyAjv4eB1U&hl=en&sa=X&ved=0CFgQ6AEwCWoVChMIyqnmhLq9xwIVjv-ACH1-LA4C#v=onepage&q=Doin'%20It%20In%20The%20System&f=true>
- Big Shelters Hold Terrors for the Mentally Ill. <http://www.nytimes.com/1992/01/12/nyregion/big-shelters-hold-terrors-for-the-mentally-ill.html>
- *District Consequences of Mayor de Blasio's - "Housing New York: A Five-Borough, Ten-Year Plan" and Needs. From Richard Lewis - HHS Committee 2015 Report (pending). Contact the author when released.*
- *Final HHS Committee and Board FY 2016 Capital and Expense Budget Rankings.* Office copy available for inspection upon sufficient notice and written request.

#### Review of Summer Projects.

As part of our ongoing committee project a tenant organizing meeting was held on August 4<sup>th</sup> in with tenants at 9 Post Avenue's building lobby. Standard HHS Committee tenant organizing folders were prepared for later distribution. The meeting was organized by HHS Committee member Estevan Nembhard with the assistance of Met Council's Executive Director. We will be working more closely with Met Council in their tenant organizing efforts in our community district. Council member Guillermo Linares and his community liaison attended along with Carmen De La Rosa and Kaira Diaz, (from Council member Ydanis Rodriguez's Office) and Martin Smith (from Senator Adriano Espaillat's Office) and the HHS Committee Chair. A second meeting was held on August 27<sup>th</sup>

The vacant lot study is still incomplete and will be worked on during the coming months. Some of the lots now have permits for construction and the study needs to be updated. A list of changing permit requests to the NYC Department of buildings may be found at

[http://www.nyc.gov/html/dob/html/codes\\_and\\_reference\\_materials/foilmonthly.shtml](http://www.nyc.gov/html/dob/html/codes_and_reference_materials/foilmonthly.shtml)

### **Presentation and Discussion by Daniel Moraff and Bettina Damani on an Owner's MCI Application.**

There was a presentation by Daniel Moraff (Met Council on Housing) and a tenant Bettina Damiani who represented 221 Seamen Avenue in Inwood. They began discussing a recent Major Capital Increase (MCI) application at that building. They indicated that they obtained a response to their FOIL request and received what they considered was all the records of that MCI application from the Department of Housing and Community Renewal (Office of Rent Administration). They wanted to know what else could be done on this matter. The following suggestions and questions were given them to in the discussion that followed:

1. Make a new FOIL request and visit the office to inspect all the records. Do not make the assumption that all the records have been sent. There may be some notes by administrators and questions they may have sent to the landlord for answers. There may be defects in the application unknown to you. These inquiries are not sent to tenants. In addition, the landlord's answers are also not sent to tenants and may be untrue to the facts. You know your building better than someone at HCR. So it pays to re-inspect these records every six months. FOIL request stays the action on the MCI application for 35 days.
2. Do all apartments listed on the same line have the same room counts? Are the room counts correct, particularly if there have been apartment renovations with or without permits? Are there any architectural floorplans available, particularly if the apartment is now listed as market rate?
3. How many of the rooms in the MCI application belong to rent regulated units? Are market rate apartments going to be charged an increase? If not this may be discriminatory.
4. Examine the expenses as claimed for each item. Examine the initial contact for the contractors (architect, engineer, and all subcontractors). Were there any change orders and how are they justified? Are you paying for someone's mistake as a result of these change orders? Cancelled checks do not necessarily mean that a secondary disbursement of funds was not done and that's why bank statements, purchase orders, invoices, paystubs, etc are more reliable. For example, what was the true cost of labor and materials? Please make sure you are not paying for any fines or late fees. Was workman compensation paid as well as social security?
5. Are there any J51's outstanding? Does the owner or manager have an interest in the contracting or subcontracting firm?
6. Is the work complete and are there outstanding HPD violations? You must also file DHCR complaints for apartment violations and any decrease in services?
7. Have all the tenants requested their apartment's rent history from the DHCR?
8. Is there still work going on for another MCI that should be considered part of this current MCI?
9. If you have multiple MCI the rates increase geometrically more than one omnibus MCI.
10. Please take photos of all work done and follow up on the inspection that DHCR will do. You will need another FOIL request to do this and you also need to check the building 'inspection card in the lobby to determine when that inspection was made. DHCR will not tell you when the MCI inspection will take place.

They asked if we would review the entire MCI application with them, but that may not be a role for the limited resources of our board and board members.

### **Discussions on the Proposed Public Hearing on Savannah Hall. (Lantern Group).**

On July 22<sup>nd</sup>, 2015 the board received a notice from the Lantern Group on its intention to construct a 73 unit supportive housing building on a lot it owns at 444-446 West 163<sup>rd</sup> Street. The building is adjacent to Lantern group's Audubon Hall building and across the street from the Edgecombe Avenue Correctional Facility. Initially, they claimed to have sent notice on this project dated September 7th, 2012 to the previous board chair and the previous HHS Committee Chair. No record of this notice could be found in the board's files even though it might have been considered time sensitive. Upon receipt of this September document resent from Lantern they were informed that a public hearing will be called either in September or October 2015 by our committee. This would be consistent with the local city protocol on community input on these types of facilities. The proposed building will be similar in scope to Audubon Hall.

See [https://comptroller.nyc.gov/wp-content/uploads/documents/20130509\\_NYC\\_ShelterSiteReport\\_v24\\_May.pdf](https://comptroller.nyc.gov/wp-content/uploads/documents/20130509_NYC_ShelterSiteReport_v24_May.pdf) and all office correspondence on this matter.

**Preliminary Discussion on HHS Committee FY 2017 Budget Ranking.**

There was a preliminary discussion on the HHS Committee’s FY Capital and Expense Budget Request and rankings. The committee will consider and complete this matter at its October 1<sup>st</sup> meeting. Here are the major areas to be considered at this time:

**HHS COMMITTEE POTENTIAL CAPITAL BUDGET RANKINGS – FY 2017**

<b>ITEM NUMBER</b>	<b>DESCRIPTION</b>
1.	Affordable Housing (Construction)
2.	Affordable Housing (Rehabilitation/Preservation)
3.	Supportive Housing (Seniors, Homeless, Veterans, At Risk)
4.	Large Centralized Non Profit CBO Worksharing Facility
5.	Vertical Urban Farms (Feasibility Study or Construction)

**HHS COMMITTEE POTENTIAL EXPENSE BUDGET RANKINGS – FY 2017**

<b>ITEM NUMBER</b>	<b>DESCRIPTION</b>
1.	Legal assistance and Attorneys for Civil Matters and OC Justice
2.	Funding for more HPD Inspectors
3.	Funding for more Department of Building Inspectors
4.	Funding for the New Tenant Harassment Unit
5.	Funding to help lower energy costs

**Discussion of the Proposed Human Services/Resource Festival.**

The committee discussed the timing of the proposed Human Services/Resource Festival. It was decided to determine the date or dates at the next committee meeting on October 1<sup>st</sup>.

The meeting was adjourned at 9:15pm.

**Respectfully Submitted by  
Richard Lewis – HHS Committee Chair  
September 3rd, 2015**