

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND
MARITIME USES

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August 21, 2012
Start: 9:55 a.m.
Recess: 10:15 a.m.

HELD AT: Council Chambers
City Hall

B E F O R E: MARIA DEL CARMEN ARROYO
Acting Chairperson

COUNCIL MEMBERS:
Brad S. Lander
Rosie Mendez
Annabel Palma
James Sanders, Jr.
Jumaane D. Williams
Daniel J. Halloran III

APPEARANCES (CONTINUED)

LaRay Brown
Senior Vice President for Corporate Planning,
Community Health, and Intergovernmental Relations
New York City Health & Hospitals Corporation

1
2 ACTING CHAIRPERSON ARROYO: I think
3 we're ready to begin. Okay.

4 [gavel]

5 ACTING CHAIRPERSON ARROYO: We will
6 open the Landmarks Subcommittee. We recessed the
7 meeting from yesterday. Today we will hear on
8 L.U. 648. We will hear from the New York City
9 Health and Hospitals Corporation on the proposal.
10 Before I call LaRay Brown from HHC up, I want to
11 introduce my colleagues that about the room here.
12 We have Council Member Mark Weprin, Council Member
13 Annabel Palma, who was here first, I think even
14 before 9 o'clock. We have Council Member Mendez,
15 Council Member Reyna, Councilman Vann, Councilman
16 Halloran and Council Member Rivera. I invite
17 LaRay Brown up to provide testimony on L.U. 648.
18 And Council Member Ignizio, who is hiding behind
19 the pole over there...

20 LARAY BROWN: Good morning. My
21 name is LaRay Brown, and I'm senior vice president
22 for Corporate Planning, Community Health and
23 Intergovernmental Relations at the New York City
24 Health and Hospitals Corporation (HHC). I am here
25 to provide testimony concerning HHC's proposal to

1
2 enter into a long term lease for a parcel of land
3 on the Metropolitan Hospital Campus, which will
4 allow for the development of 175 units of
5 affordable and accessible housing for low income
6 elderly and/or disabled persons. Their partnered
7 building will have 83 studio, 92 one bedroom units
8 and a two bedroom unit for a full time
9 superintendent. As the Committee knows in New
10 York City, there is an acute shortage of
11 affordable and accessible housing for low income
12 elderly and disabled individuals. This shortage
13 is one of the major impediments to the appropriate
14 discharge of hundreds of residents in HHC's
15 skilled nursing facilities whose needs would
16 better be addressed in community based non
17 institutional settings. Specifically there are
18 more than 400 skilled nursing facility residents
19 at Coler Goldwater Specialty Hospital and Nursing
20 Facility whose clinical needs no longer
21 necessitate that level of care and whose average
22 lengths of stay in that facility are more than 4.6
23 years. Many of these individuals have Medicaid
24 coverage and could more appropriately benefit from
25 living in the community if there were affordable

1
2 and accessible housing available. The location of
3 the project directly across from Metropolitan
4 Hospital will allow the tenants to receive all
5 necessary healthcare services at that hospital,
6 assuring that skilled nursing residents are not
7 consigned to longer stays than needed in
8 institutional settings is not only the right thing
9 to do, but comports with the Olmstead decision
10 that held under the American With Disabilities Act
11 unjustifiable institutionalization of a person
12 with a disability who with proper support can live
13 in the community as discriminatory. The creation
14 of affordable and supportive housing is also
15 supported by New York State as it looks to find
16 savings in the Medicaid program, savings that
17 would inure to the city, state and federal
18 governments and enact policy changes that focus on
19 better health care for New Yorkers and care that
20 is provided at a lower cost to taxpayers. In
21 light of this, one of the recommendations of New
22 York State Medicaid redesign team was to include
23 75 million in funding for supportive housing
24 projects statewide in the most recent State
25 budget. Of this amount, 7.3 million was

1 specifically appropriated for this innovative
2 project. HHC has been working in conjunction with
3 several city agencies on the financing and
4 development of this project. This includes the
5 New York City Department of Housing Preservation
6 and Development (HPD), the New York City Housing
7 Development Corporation (HDC), and the New York
8 City Housing Authority (NYCHA). In addition to
9 the 7.3 million in state funding, the balance of
10 the project's financing comes mainly from a
11 combination of loans from HPD that will generate
12 low income tax credits and bond financing from
13 HDC. Ongoing rents [phonetic] will be supported
14 through project based Section 8 vouchers. Before
15 I close, I'd like to read a statement made at the
16 May 9th, 2012 HHC board of directors public hearing
17 concerning this project by one of the many Coler
18 Goldwater skilled nursing facility residents who
19 attended, Mr. Joseph Sillick Miller [phonetic].
20 I am a resident of Goldwater. As you know, it is
21 closing down soon. There are people that need
22 this opportunity and we need this housing, you
23 know. It is very important for us. I'm ready to
24 get back into the community. I don't need the
25

1 hospital. What they did for me is fine, and it's
2 time for me to move on. I don't want to go back
3 to living like that in a nursing home. So it is
4 important for us to get the housing. It is
5 important. I'm just thankful that you guys gave
6 us an opportunity to come ourselves and speak for
7 ourselves. Thank you. I'm ready to get back to
8 the community and everything worked out. Put my
9 name on the top of the list for this housing. I'm
10 ready. Thank you." I thank you for the
11 opportunity to testify on this important project,
12 and I'm now ready to address any questions that
13 you may have. Thank you.

14
15 ACTING CHAIRPERSON ARROYO: Thank
16 you, LaRay. Going back to the quote from the
17 resident to put him on top of the list--the
18 housing, how is the selection of the tenants going
19 to happen? Is it going to be solely those that
20 are being discharged from the skilled nursing
21 facility, from HHC? What's the criteria?

22 LARAY BROWN: Sure. The initial
23 tenancy will be solely from folks who are in need
24 of discharge from Coler Goldwater, and I say
25 initial because part of our marketing plan that

1
2 has to be approved by HUD for the subsidy is that
3 we have an initial and then an ongoing marketing
4 plan, so that when vacancies are created. After
5 the initial tenancy it is our intent that there
6 will be a wait list that's established and the
7 individuals from that wait list will be folks who
8 come who need housing from all throughout the
9 city, from all of HHC's facilities. As you know,
10 we have four nursing homes in the HHC system and
11 11 acute care hospitals and we discharge more than
12 200,000 people a year. A significant number of
13 the folks who we treat not only in our nursing
14 homes, but in our acute care hospitals are when
15 they come in, they may have had a tenuous housing
16 situation. Some are homeless already and others
17 because of the physical health condition that
18 presented for them to be hospitalized or placed in
19 the skilled nursing facility require more of an
20 accessible housing than they may have had before
21 they were hospitalized.

22 ACTING CHAIRPERSON ARROYO: 175

23 units, does that take care of the universe of
24 patients that are in the HHC system that need
25 placement?

1
2 LARAY BROWN: Yeah, yeah. Great
3 question. Absolutely not, and that's why we will
4 actually have a waiting list as soon as we
5 actually open—I hope we open—this apartment
6 building. As I mentioned in my testimony at Coler
7 Goldwater, there are in excess of 400 folks for
8 whom community housing with healthcare services
9 that can be provided in the community would better
10 serve those individuals, but we have people at all
11 of our nursing homes who are in that situation and
12 therefore, we will have this waitlist and then
13 essentially there probably will be more like a
14 lottery based on the first come first serve on the
15 waitlist, but in terms of at Coler Goldwater for
16 the initial tenancy, we will probably have a
17 lottery so that those individuals who count more
18 than 175 will have sort of equal opportunity to
19 access these apartments.

20 ACTING CHAIRPERSON ARROYO: What
21 services will there be for those will live in the
22 building?

23 LARAY BROWN: Sure. In the
24 building, it's also designed so that there is
25 going to be about 3,000 square feet for the

1
2 provision of a senior center. We are in
3 discussions with our colleagues at DFTA to
4 identify a perspective senior center that would
5 actually lease that space and provide not only the
6 activities of a high performing senior center for
7 those tenants who would want to be part of that
8 program, but also for folks in the community. In
9 addition, there will be some space for community
10 based care managers or case workers and other
11 folks from other community based organizations
12 that provide social services and I think the sort
13 of lovely aspect of this is its proximity to
14 Metropolitan Hospital, so that for the full range
15 of outpatient and if folks need specialty services
16 or inpatient care, there is that proximity there
17 and HHC is committed to assuring that we actually
18 have staff for at least the first 90 days of
19 individuals discharge from Coler Goldwater who
20 actually know these tenants—'cause I mentioned
21 they have been at Coler Goldwater for an average
22 of more than 4.6 years—who would be somewhat like
23 a case manager/coach to assure that the person is
24 linked to community and healthcare services.

25 ACTING CHAIRPERSON ARROYO: So

1
2 often in our offices what we deal with - - housing
3 issues, so who will Council Member Melissa Mark-
4 Viverito have to deal with any housing complaints
5 related to this building?

6 LARAY BROWN: --related to this
7 building. SKA Marin is the developer, and
8 unfortunately, the principal of that firm could
9 not be here today. She was here yesterday. And
10 there will be--so that developer will have an
11 ongoing responsibility for the management and
12 operation of this building, but there also will be
13 onsite in addition to the superintendent, there
14 will be staff onsite to be responsive not only to
15 the Council Member, but to anyone in the community
16 as well as to the tenants.

17 ACTING CHAIRPERSON ARROYO: Now
18 coming into this hearing there was some concerns
19 raised by the Council Member and her community's
20 concerns related to not necessarily this project
21 but Department of Sanitation garage that seems to
22 be a neighbor and some concerns about the truck
23 traffic and what can be done to mitigate some of
24 the issues that the community is dealing with.
25 Are you able to tell us what some of those

1
2 discussions have been and what commitments have
3 been made?

4 LARAY BROWN: What I can say is
5 that there have been commitments to reduce the
6 number of sanitation trucks that are presently and
7 have heretofore been parked on 99th Street and you
8 know, as part of the operation of that garage.
9 There has also been a commitment to work with the
10 Office of Management and Budget and other city
11 agencies and private interest to identify
12 additional sites or locations within Community
13 Board 11 so as to reduce over the long term the
14 number of trucks that need to park at that garage.
15 There has also been a commitment to limiting the
16 number of vehicles both trucks and cars—sanitation
17 vehicles—at the garage to those that are essential
18 only to the services to Community Board 11. There
19 have been some vehicles parked that were related
20 to another community board. I also can say that
21 there are still some discussions ensuing between
22 the Council Member and the Administration. She
23 had some questions, and I'm confident that those
24 questions will be resolved today.

25 ACTING CHAIRPERSON ARROYO: And no

1
2 one from sanitation is here to sit with you on-

3 LARAY BROWN: [Interposing] No, no.

4 ACTING CHAIRPERSON ARROYO: Okay,
5 and my understanding is that because there are
6 still discussions ongoing regarding this project
7 that we will not be voting on this item today. We
8 hope to convene tomorrow.

9 MALE VOICE: [off mic]

10 ACTING CHAIRPERSON ARROYO: Soon?
11 Okay. So with that, I recess-

12 MALE VOICE: [Interposing] - - .

13 ACTING CHAIRPERSON ARROYO: We
14 adjourn the hearing. We close the hearing on this
15 item and adjourn the meeting. Okay. That's what
16 happens when you pinch hit for someone who does
17 this. So with that, I close the hearing, and any
18 members questions? Annabel?

19 COUNCIL MEMBER PALMA: Hi, Ms.
20 Brown. I have a question around NYCHA's role in
21 the project and the project based Section 8
22 vouchers that you mention in your testimony. Are
23 those new vouchers that are being created
24 specifically for this project?

25 LARAY BROWN: The NYCHA's role is

1 very specific to our obtaining project based
 2 Section 8 approval for this site. And there are
 3 discussions as to—I do not believe that these are
 4 newly created vouchers, but within the context of
 5 NYCHA’s current appropriation of vouchers for any
 6 new apartment or residential development that is
 7 seeking project based subsidy the Housing
 8 Authority as well as HUD have to approve that
 9 plan, and specifically not only the deployment of
 10 the vouchers, but also the marketing plan that the
 11 Council Member asked were in terms of how the
 12 building is tenanted. So that’s what their role
 13 is.
 14

15 COUNCIL MEMBER PALMA: All 175
 16 apartments will have the project based Section—

17 LARAY BROWN: [Interposing] Yes,
 18 yes. The building—that’s why it’s project based
 19 and not tenant based, so that if I were to live in
 20 the building I expired five years from now, that
 21 apartment would still have the opportunity for a
 22 subsidy, notwithstanding the change in my status.

23 COUNCIL MEMBER PALMA: Thank you.

24 LARAY BROWN: You’re welcome.

25 ACTING CHAIRPERSON ARROYO: Any

1
2 other questions? Council Member Halloran?

3 COUNCIL MEMBER HALLORAN: Just one.
4 Any of these units or potential residents military
5 veterans or individuals who are suffering PTSD or
6 any of the other related illnesses?

7 LARAY BROWN: They could be. As a
8 matter of fact, we have 11 individuals at Coler
9 Goldwater who are veterans and they could be
10 beneficiaries of these apartments if they choose
11 to reside there, but it's not—we haven't
12 specifically dedicated a set number of apartments
13 for different categories of individuals except for
14 the broader category of either being elderly
15 and/or disabled.

16 COUNCIL MEMBER HALLORAN: Just so
17 I'm clear on it. There is a requirement under
18 federal law to my knowledge that there be 10% set
19 aside in the creation of apartments—low income
20 housing—for veterans and military personnel than
21 that would just be city wide and not specifically
22 to anything that is created per se.

23 LARAY BROWN: So the one thing
24 that's unique about this actual development is—and
25 this refers to what I probably didn't clearly

1
2 articulate for Council Member Palma's question is
3 that we're trying to get the approvals from HUD
4 for that this particular building be original
5 tenancy would be 100% the 175 units would be for
6 individuals that are being discharged from Coler
7 Goldwater and then from the HHC system after that
8 initial tenancy. So we are--the approval of that
9 would allow us not to do that 10% set aside, but
10 that said, as I mentioned at Coler Goldwater alone
11 we have at least ten individuals who are vets who
12 need to be discharged, and throughout the HHC
13 system even though we're not the VA system, but we
14 do serve a significant number of individuals who
15 have served in the armed services throughout the
16 HHC system our other skilled nursing facilities,
17 but our acute care facilities as well.

18 COUNCIL MEMBER HALLORAN: Okay.

19 Thank you. I appreciate it.

20 LARAY BROWN: Thank you.

21 ACTING CHAIRPERSON ARROYO: Any
22 other questions? No? Okay. With that, this
23 hearing or meeting of the Landmarks Committee is
24 adjourned.

25 [gavel]

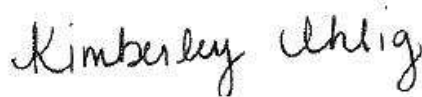
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ACTING CHAIRPERSON ARROYO: Members
of the Landmark Committee, we have been informed
we are going to convene tomorrow at 9:30 at City
Hall in the Committee Room to vote out the last
item that we discussed today. It's a new meeting
- - . See you tomorrow at 9:30.

C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

Handwritten signature of Kimberley Uhlig in cursive script, written over a horizontal line.Date September 2, 2012