

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC HOUSING

----- X

February 28, 2023
Start: 1:24 p.m.
Recess: 5:22 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: Alexa Avilés
Chairperson

COUNCIL MEMBERS:

Diana Ayala
Charles Barron
Carmen N. De La Rosa
Darlene Mealy
Chi A. Ossé
Lincoln Restler
Rafael Salamanca, Jr.
Pierina Ana Sanchez
Julie Won

A P P E A R A N C E S (CONTINUED)

Dana Elden
Residents to Preserve Public Housing

Danette Chavis

Joel Kupferman
Environmental Justice Initiative

Jaron Burke
WE ACT

Brad Greenburg
NYCHA Chief Compliance Officer

Daniel Greene
NYCHA Senior Vice President for Healthy Homes

Joy Sinderbrand
NYCHA Senior Vice President for Capital Programs

Josephine Bartlett
NYCHA Senior Director of Pest Management

Vlada Kenniff
NYCHA Senior Vice President for Sustainability

Michael Ohora
Environmental Justice Initiative

Lonnie Portis
WE ACT

Lavelle Shaw [sp?]

A P P E A R A N C E S (CONTINUED)

Christopher Morris Perry [sp?]

Beverly MacFarland
Taft Houses Council President

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBLIC HOUSING

4

SERGEANT AT ARMS: Good afternoon and welcome to today's New York City Council hearing on the Committee on the Committee on Public Housing. At this time, we ask that you silence cell phones and electronic devices to minimize disruptions throughout the hearing. If you have testimony you wish to submit for the record you may do so via email at testimony@council.nyc.gov. Once again, that is testimony@council.nyc.gov. We thank you for your cooperation. Chair, we are ready to begin.

CHAIRPERSON AVILÉS: [gavel] This meeting is coming to order. Good afternoon everyone and welcome to this hearing of the Committee on Public Housing. I am Council Member Alexa Avilés, the Chair of the Committee on Public Housing, and I'd like to thank you all for attending this oversight hearing to examine air quality in NYCHA apartments. We are joined by my colleague Council Member Carmen De La Rosa. Adverse air quality can have serious and severe impacts on our health and wellbeing. Over the last three years, as we all have spent more time than we ever could have imagined in our homes and apartments, we saw the importance of making sure that the air we breathed was as healthy as possible. The

1 tenants in NYCHA have fought for years for clean air
2 in their apartments, in their developments, and truly
3 for all residents in the City, and too often they
4 face the day-to-day reality of knowing the air in
5 their buildings wasn't healthy due to mold and pests
6 inside their apartments as well as construction and
7 other causes outside their buildings. One of if not
8 the main reason for the imposition of a Federal
9 Monitor at NYCHA was the ongoing inability to correct
10 known causes of adverse air quality like mold and
11 pests. Today, we will aim to learn from NYCHA on how
12 they have changed the way they handle complaints and
13 conditions that implicate air quality both inside and
14 outside NYCHA buildings. I'm interested to know what
15 steps they have taken to remediate these conditions
16 as well as what inspections and follow-ups are done
17 after to ensure the work is completed kindly and
18 correctly. I want to know what oversight and rules
19 are in place to ensure NYCHA's staff and outside
20 contractors work quickly and efficiently both inside
21 and outside NYCHA buildings and what steps are taken
22 to make sure that any dust or debris caused by
23 construction does not become yet another hazard that
24 tenants have to endure. This includes what tenants
25

1
2 in buildings still fully under NYCHA as well as those
3 whose development have undergone conversion to
4 RAD/PACT. Finally, I'm interested in the proactive
5 steps that NYCHA has taken to improve resident air
6 quality. We cannot simply accept actions which
7 correct a condition back to the status quo, but
8 should be comprehensively and decisively working to
9 make sure that NYCHA tenants will breathe clean air
10 inside and outside their homes today and in the
11 future. Today, we will also hear Resolution 190
12 which I sponsored which calls for the New York State
13 Legislature and Governor to provide their share of an
14 additional three billion dollars that is needed to
15 address capital needs resulting from the decades of
16 disinvestment in NYCHA's building stock. I would
17 like to thank my staff, Christina Bottego, Edward
18 Cerna, and James Nemeister, along with the Public
19 Housing Committee Staff, Jose Conde, Ricky Chawla ,
20 and Connor Mealey for all the work that they've put
21 into this hearing. In keeping with the tradition of
22 this committee, before we hear from NYCHA, we will
23 first hear from a panel of residents and advocates
24 who closely work with
25

1 residents. I will turn it over to Committee Counsel
2 to call up the witnesses.

3
4 COMMITTEE COUNSEL: For the pre-panel
5 we'll start with Ms. Dana Elden and Ms. Danette
6 Chavis who are both on Zoom and also here in person
7 Jaron Burke and Joel Kupferman can come up to the
8 table. And we'll have the residents on Zoom speak
9 first. Ms. Elden, you should be getting notice to
10 unmute yourself shortly.

11 DANA ELDEN: Are you ready?

12 COMMITTEE COUNSEL: We can hear you.

13 DANA ELDEN: Sure.

14 COMMITTEE COUNSEL: You can begin, Ms.
15 Elden.

16 DANA ELDEN: Thank you so much and good
17 afternoon to the Council, City Council, and to
18 Councilwoman Avilés, and we thank you for the work
19 that you've put forth thus far on behalf of NYCHA
20 residents. I'm here today to give a testimony in
21 regards to the environmental issues that surround
22 NYCHA. Not only are we in need of repair, but when
23 repair is done there are certain standards that
24 should be kept and adhered to in regard to the air
25 quality and environment for our residents. I say

1
2 this because soon I am to receive new roofs for six
3 of my-- my six buildings, and I know that there's
4 going to be a lot of debris that comes from that.
5 The roofs that are on our buildings now are original
6 roofs, and the buildings were constructed in 1958.
7 Thus, when we begin to remove that roof by layers
8 there are asbestos and other chemicals and materials
9 that we used back in that time that will have to be
10 removed safely. And for the sake of our residents, I
11 am concerned that there will be issues in regarding
12 to air quality, not only outside the buildings
13 themselves but in the apartments that are on the 20th
14 and 21st floors. So, I believe that NYCHA will try
15 to do the best that it can to adhere to any issues in
16 regard to air quality, but it is a big concern. And
17 as a member of Residents to Preserve Public Housing,
18 I would also like to address that funding is needed,
19 not just for capital funds which we're requesting 3.4
20 billion per year. However, there will be additional
21 monies that will be necessary for residents to be
22 either transferred to courtesy apartments or hotels
23 if they reject a courtesy apartments. So there's so
24 many issues that are around the quality of life when
25 it comes to air quality in my development, and from

1
2 what I've heard in the last couple weeks, this is an
3 issue with many other developments as well. I was
4 standing with dirt that has been dumped in areas,
5 garbage, littering, pest control. So it's a wide
6 issue but in regards to construction purposes, I
7 think it's important that we seek funding for those
8 projects that are in work right now, but for future
9 projects in the coming years where we will be
10 concerned with the materials that are used or removed
11 from older sites. And I thank you, and I yield the
12 floor.

13 CHAIRPERSON AVILÉS: Thank you so much,
14 Ms. Elden.

15 COMMITTEE COUNSEL: Ms. Chavis, you
16 should be receiving an invite to unmute yourself
17 shortly. You can begin as soon as it is unmuted.

18 DANETTE CHAVIS: Hi, I think I'm unmuted
19 now. Okay, so thank you for inviting me to this
20 forum and in fact having this forum to discuss the
21 environmental conditions within NYCHA apartments. I
22 think the conditions outside the development should
23 be given consideration as well such as construction.
24 For me, the issue is money or the lack thereof,
25 because if you don't have sufficient funding, you

1
2 can't address the problems that are highlighted,
3 right? I've seen a whole lot of effort into
4 highlighting the need for repairs and things like
5 that such as what was recently done by the
6 Comptroller, but with no money going along with what
7 is highlighted, it seems to me a effort in vain. We
8 had 40 billion on the table, okay, to fully fund
9 NYCHA that got taken off the table, and now we're
10 dealing with the Perseveration Trust. There is again
11 70 billion on the table, and I hear crickets about it
12 with a lot of effort in assistance in bills being put
13 before the Governor to partially fund NYCHA. I
14 appreciate the efforts by the bills being proposed,
15 but I feel that if the government is the cause of the
16 reason of continual disinvestments from NYCHA, then
17 the focus ought be on the Governor, particularly when
18 money is currently on the table seeking to fund
19 NYCHA. That's all I have to say. Thank you.

20 CHAIRPERSON AVILÉS: Thank you so much
21 Ms. Chavis. I have questions for Ms. Elden. I'll
22 guess I'll start there. Ms. Elden, if you're still
23 on the Zoom.

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

COMMITTEE COUNSEL: There should be an invite to unmute yourself shortly. Ms. Elden, I believe you're not muted if you--

CHAIRPERSON AVILÉS: Ms. Elden, can you hear me?

UNIDENTIFIED: She had to step away for a moment.

CHAIRPERSON AVILÉS: So, Ms. Elden, I was curious-- thank you for your testimony and certainly your concern. I was curious if you could speak to the communication that has been provided by NYCHA around the replacement of the roofs, and particularly safety protocols? Ms. Elden, we can't hear you if you're talking. Okay. Okay, I think we will-- we will continue with the in-person testimony, and then maybe when Ms. Elden gets back we'll be able to follow up on that question. Thank you.

COMMITTEE COUNSEL: So now we'll hear from the in-person panel, Joel Kupferberg [sic] and we'll go with Joel Kupferberg first and then Jaron Burke will be next. So sorry [sic].

JOEL KUPFERMAN: Joel Kupferman. If I could make a request. My intern is with me. Can he speak?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

COMMITTEE COUNSEL: We'll have him speak at a next panel, at the next panel after the Agency speaks.

JOEL KUPFERMAN: Okay. I'm Joel Kupferman, Executive Director, Attorney at the Environmental Justice Initiative. I'm personally familiar with the air problems in NYCHA as counsel at Tenants Associations and all BPH. Much of the exposure can be prevented. It's a question of will, not money. Much of the indoor air toxicity is coming from the outside. Indoor air quality is highly dependent upon the immediate outdoors, loose disturbed soils, soils laden with dangerous levels of lead, arsenic, hexavalent Chromium and such. The disturbed soils, once covered with some kind of ground cover has been disturbed by uncontrolled construction. In the name of good, in the name of resiliency, trenches are dug for pipes, soils are piled up in front of tenants' windows. We've learned from 9/11 that the windows do not block the dust. Soils are distributed onto the paths and they're trekked into the apartments. NYCHA residents are certainly vulnerable, old, young, disabled, asthmatic and people of color all subject to cumulative chronic

1 impact. It's impact is multi-vector and multi-
2 source, with little chance to escape. EJI would like
3 to point out that NYCHA and its contractors have
4 continuously violated a major provision in their
5 contracts, appendix two, dust control. This provision
6 states that dust control must occur in order to
7 prevent exposures to residents and workers. Failure
8 to contain the soil violates city, state, federal
9 storm water regulations and many other regulations.
10 As a matter of fact, one of the sections requires
11 that the contractor remove toxic soils from the site,
12 not just keep them cover, to remove it. We've been
13 after NYCHA at Smith, at St. Nicks and elsewhere
14 pointing out the high levels of this toxicity and it
15 has gone basically on deaf ears. At Riis,-- and my
16 intern will further explain-- is a major hot-spot
17 that people are being exposed to this soil that could
18 easily be prevented. The prevention is covering it
19 up before the removal. We ask, demanded, and we
20 actually did walk-throughs, with Daniel Green and
21 [inaudible] people who going to testify today, and we
22 showed them the problems at smith, how high levels
23 there were of the arsenic. One of the quick fixes is
24 covering up the soil, using TO textile, using grass
25

1 cover. That was not done for years. When we saw the
2 problem at Riis, I was astonished that not only was
3 the soil uncovered, there was pesticide application
4 there. Pesticides being used-- can I continue for--

5
6 CHAIRPERSON AVILÉS: Go ahead.

7 JOEL KUPFERMAN: What's upsetting about
8 pesticides, when the city got hit we learned from
9 West Nile virus, that it's important for the doctor
10 to know what people are being sprayed with inside the
11 apartments and outside. So here we have at Riis, un-
12 notified, unlabeled pesticides being used. We also
13 know that the arsenic that people are being exposed
14 to comes from a long-standing rat control program
15 that the City Health Department did. It took us a lot
16 to bend the City's arm to come inspect Smith, and
17 Smith wrote up a violation saying you can't have this
18 high level of soil uncovered. And what did Smith do?
19 What did the contractors at Smith do? Nothing. They
20 allow it to continue, to let those soils expose. And
21 what's upsetting, and I think you might want to ask
22 is how can the contractors get away with these
23 contract violations over and over again, that Smith
24 85 million dollars was paid. Nothing was held back
25 in reserve. There was no request for remediation.

1
2 And we also learned that there was-- the monitoring
3 was faulty on the outside. Through the walk-throughs,
4 we found that the monitor was on one side away from
5 the work, and also we're very concerned that they
6 were actually cutting into silica concrete right
7 below tenants' windows who had two asthmatics. We
8 also learned-- the Environmental Justice Initiative
9 did a lot of work with 9/11. We learned from 9/11
10 that it was the silica alone was the killer. So,
11 it's not just the high levels of arsenic and lead
12 that's in the soil. It's the PM2.5 that's bad.
13 Harvard studies have shown and we distributed to
14 everybody that a slight increase in exposure to
15 PM2.5, chronic-- that's all these residents are
16 facing-- leads to a major increase in COVID death.
17 So, the onslaught of this dust exposure is not liner
18 [sic] it's not inconvenient, but also it could be
19 controlled, and it's the contractors-- a lot of it's
20 coming from malfeasant contractors, and it's Smith,
21 it was Navalix [sic] and the construction manager is
22 named STV, and now STV has been promoted by NYCHA to
23 higher position. They're using something called self-
24 certification where they're just testifying and
25 signing off that their work is fine without bringing

1 the outside inspectors. So we believe that there's a
2 systematic under-assessment of the problem, that
3 we're relying on contractors that are hiring
4 contractors to tell everyone that it's okay. The
5 tests are faulty. There's not enough monitoring, and
6 also I think it's important to point out at Riis
7 which is emblematic elsewhere, that we're not testing
8 the people themselves. That's important. And it's
9 classic environmental injustice that people complain
10 about when they go to a doctor that there's many,
11 many tests that are ordered. At Riis we've had a
12 death of someone-- the doctor came out and it was--
13 turns out to be high arsenic blood levels. The
14 doctor asked that people be tested and NYCHA and the
15 City said no. You're probably getting arsenic
16 poisoning from eating seafood. I think it's
17 important for you to ask how many people are eating
18 seafood in-- at Riis, and also that they're kids are
19 not playing in that soil that's piled up. So I think
20 it's a question-- the air quality is a major problem
21 and it's chronic. Okay. But also I just want to
22 really point out that it's malfeasance of the
23 contractors that are getting paid federal and state
24 money to do this work that could be prevented. Not
25

1
2 only is this work bad, it's also-- it's killing the
3 natural resources that's so important for NYCHA.
4 2,700 acres of land is NYCHA property that should be
5 positive natural resources that provide the trees to
6 flourish, to block the dust that comes down and to
7 provide cooling. Yet, this faulty unfettered
8 construction is allowed to take place where we've
9 showed-- and we've shown these people themselves that
10 the trees are still going down at Smith. They didn't
11 deal with a contractor to fix the soil, to fix the
12 destruction and let those trees flourish. And so
13 now, what's upsetting to me as an environmental
14 lawyer that's doing all this work that is federally-
15 funded money that's actually exacerbating the
16 problem. And then part of our mantra of our
17 organization is to take away that mantra, the halo
18 [sic], that people say that they're doing the good
19 work, and yet they're actually increasing people's
20 vulnerability and exposure that could be easily
21 prevented. Thank you.

22 CHAIRPERSON AVILÉS: Thank you so much,
23 Mr. Kupferman. Can you tell me what was the name of
24 the contractor that you are referring to in your
25 testimony?

1
2 JOEL KUPFERMAN: It's Navalis and STV.
3 And I think that's a major part of the problem.
4 We've had whistle-blowers that have come to us that
5 had actually been fired by NYCHA, been told that when
6 this contract review-- just push it through. The
7 contractors will ask for change work orders for
8 hundreds of thousands of dollars and there's not much
9 scrutiny of that money.

10 CHAIRPERSON AVILÉS: And do what agencies
11 did you report your findings when you noted the high
12 levels of arsenic and other toxins? Was that just
13 simply to NYCHA--

14 JOEL KUPFERMAN: [interposing] NYCHA
15 through the City Health Department and the State
16 Health Department and DEP.

17 CHAIRPERSON AVILÉS: And did any of those
18 agencies respond?

19 JOEL KUPFERMAN: They responded and we
20 also-- they responded irresponsibly. It was a letter
21 from the City Health Department basically that laid
22 out the seafood. But we're-- I think it's one of the
23 worst environmental insults to everybody. There's a
24 Deputy Health Commissioner and Deputy DEP
25 Commissioner came out with NYCHA staff giving out

1 bottles of water telling people that the arsenic was
2 not a problem, just the lab made a mistake. It's
3 also interesting at that they spent so much time
4 trying to undo that lab without doing other testing
5 that we asked for over and over again, and Smith and
6 all the other NYCHA houses where there's
7 construction, the soil's being disturbed. But they
8 also said this in front of the piles of soil. The
9 soil's eight feet high, right below the windows and
10 we know that that's a possible, probably source of
11 arsenic in lead. The reason why the feds stepped in
12 is there was insufficient testing of blood and the
13 lead, not just insufficient, it was malfeasance
14 testing. So here, we have a similar problem that
15 there's not just arsenic, there's lead in the soil,
16 yet NYCHA continues to refuse to test and let people
17 know what the problem is.

19 CHAIRPERSON AVILÉS: Can I ask you, in
20 terms of the uncovered piles of dirt, how long did
21 that condition persist? How often did residents--

22 JOEL KUPFERMAN: I believe it happened for
23 months, and I believe that some of that soil is still
24 uncovered. It was moved from pile to site to site.
25 And then we also will present in our other testimony

1 is that it's the piles that are up there and this is
2 occurring in many other NYCHA houses, there's
3 trenching that goes on. Trenching, the soil is
4 removed piled up, and not covered. And it should be
5 removed let alone covered.
6

7 CHAIRPERSON AVILÉS: That's correct.

8 JOEL KUPFERMAN: Okay? And also I just--
9 there's a way of monitoring this. There's--
10 basically no one wants to know. This is a 200 dollar
11 air monitor in my hand, plugs into the computer and
12 it starts giving us live data that everyone could see
13 in terms of all the way down to 0.1 which is even
14 smaller than the 2.5 which everybody's concerned
15 about. So the monitoring isn't there. We-- NYCHA
16 relies on the monitors of the contractors where they
17 only set up one or two and they just count the work
18 that's happening. We're told when we were cutting
19 that silica that the soil wasn't being disturbed, and
20 we know it went into the apartments. So how could
21 they claim that there's not penetration into these
22 buildings without testing it? And also, 85-- these
23 contracts are still another half a billion dollars or
24 so to go for the [inaudible] stuff. So, it's a
25 combination of Sandy recovery. We still know that

1 the flooding's going to happen again. Studies that
2 we presented from Louisiana and other places that
3 when the water comes up it takes the arsenic and lead
4 in the soil and redistribute and leaves it there. So
5 we have a problem that we're spending this money and
6 the residents are going through this, and also
7 there's a fake rebuild. At Smith, they were paid and
8 the construction corrections were not made. You
9 might want to ask, where was the money set aside for
10 the trees to be rebuilt, to be restored. The
11 contractor just basically just walked away. So, I
12 have a, I guess, as a long-time environmental lawyer,
13 I just have a feeling that especially the
14 contractors, it's almost like they're laughing at us,
15 laughing at everyone here that no matter what we
16 point out, they still know they're going to get paid,
17 and there's something called a bad actor policy that
18 the City and the State has used to stop bad
19 contracting and NYCHA's going to tell you that
20 they're mandated that the low bid wins. The low bid
21 is attracted the largest array of bad contractors
22 that definitely know they're getting away, you know,
23 with this work that this NYCHA should start enforcing
24 the law and start putting penalties onto who they
25

1
2 hire, and by doing this we're going to get rid of the
3 bad guys and start rewarding the good contractor
4 that's there.

5 CHAIRPERSON AVILÉS: so, last question
6 for you, Mr. Kupferman, because I-- we have other
7 testimony, but in your estimation was any of your
8 data evidence that you've collected on behalf of the
9 residents taken seriously by NYCHA?

10 JOEL KUPFERMAN: Was it taken seriously?

11 CHAIRPERSON AVILÉS: Yeah, yeah.

12 JOEL KUPFERMAN: No. And also, I just
13 want to take a little umbrage also and say-- but
14 also, we use their data of high levels of SOC's [sic]
15 of exceedances, and then what happens is they gave us
16 an executive summary that said it was just minor
17 exceedance. You might want to ask who gave them the
18 power to say minor exceedance. We also know-- just I
19 know the most about Smith-- is that Smith has several
20 people die in the last few years. It was in the 9/11
21 envelope as is this building.

22 CHAIRPERSON AVILÉS: Yep.

23 JOEL KUPFERMAN: And we would-- okay.
24 So, it's part of the problem is that it's amazing
25 that for the want of a few thousand dollars to do

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that soil coverage, we've actually endangered that vulnerable population, and especially at Smith, you have 9/11 victims that now they're beginning to die of cancer. So I don't think it was taken seriously at all.

CHAIRPERSON AVILÉS: Thank you for your work and thank you for the work you've done on behalf of the residents. We appreciate you, and I'm going to switch quickly to Ms. Elden to ask some questions around her testimony, if you don't mind, and then we'll continue here. Ms. Elden, thank you for coming back. I--

DANA ELDEN: I have [inaudible] so that's why I stepped away quickly.

CHAIRPERSON AVILÉS: Oh, look at that.

DANA ELDEN: [inaudible]

CHAIRPERSON AVILÉS: No worries. Thank you so much for returning. I wanted to know, Ms. Elden, you mentioned that seven of the buildings n your development are going to be receiving new roofs. Obviously something clearly needed. Hopefully we'll stop the leakage that I'm sure is occurring throughout all the buildings. Can you tell me how NYCHA has communicated this process with you and the

1 tenants, and if at all you have received any safety
2 protocols around what is about to happen within the
3 buildings?
4

5 DANA ELDEN: Well, basically we had a
6 meeting with the design team of NYCHA. Well, I did
7 and my board, [inaudible] of my board, that were
8 present [inaudible] use but it was finally
9 [inaudible] that was close to the [inaudible]. So
10 it's still kind of material like that. [inaudible]
11 the excavation [inaudible]

12 CHAIRPERSON AVILÉS: [interposing] Ms.
13 Elden, it's a little-- Ms. Elden, I'm so sorry, it's
14 a little difficult to actually hear you. I'm not
15 sure--

16 DANA ELDEN: [interposing] Oh, I'm sorry.
17 It might be [inaudible] so there were some issues
18 about the work on the top floor. And that resulted
19 in [inaudible] knowing that there's asbestos on the
20 roof and then there's the layers could contain a
21 brick mortar [inaudible] asbestos materials. That's
22 as much as I know [inaudible] that is the original
23 roof on six buildings. So, it was quite a concern to
24 me [inaudible] construction on removing the roof,
25 that it would be a lot of particles as it was

1
2 explained to me that may fall from the top of the
3 building. There was also concern about the asbestos
4 that is on the roof, that was part of the [inaudible]
5 1950's [sic].

6 CHAIRPERSON AVILÉS: Sure. I--

7 DANA ELDEN: [interposing] That's my
8 concern.

9 CHAIRPERSON AVILÉS: Were you at all--
10 was any of the tenants offered air purifiers or
11 anything of that sort that might help to mitigate
12 what is potentially--

13 DANA ELDEN: There's been no conversation
14 about what are the needs [inaudible] those on the top
15 floors. The only explanation that residents have
16 gotten so far [inaudible] at public meetings, and I
17 explained to them the possibility of [inaudible]
18 those layers being taken off the roof. That was
19 [inaudible] we had so much scaffolding stretched out
20 over the property, and so I explained it in the
21 process that we went through [inaudible] that want to
22 [inaudible] such expensive scaffolding. So every
23 meeting I find [inaudible] what I know thus far. And
24 so far I know that somewhere in November-- not
25 November, September, anywhere from July to September

1
2 construction will begin, but nothing has been said
3 about what procedures will be taken prior to.

4 CHAIRPERSON AVILÉS: Oh, okay. So, Ms.
5 Elden it's still a little hard to heart, but I think
6 with your last statement that nothing has been said
7 about procedure so far is an important one. So we
8 will follow up with you offline around making sure
9 that the residents have a full set of information
10 around what is going to be happening in these
11 buildings, particularly because it implicates, you
12 know, the health and safety--

13 DANA ELDEN: [interposing] Yeah, but they
14 [inaudible] showing whether or not they want to
15 [inaudible] apartments usually [inaudible] and of
16 course, we have so many vacancies, I'm sure they will
17 be able to move some to a [inaudible].

18 CHAIRPERSON AVILÉS: Okay.

19 DANA ELDEN: If they want to do this
20 process, but still. That stuff is going to come
21 down. It's going to come down. It's going to be in
22 the air. [inaudible]

23 CHAIRPERSON AVILÉS: Thank you so much,
24 Ms. Elden, we will follow-up and hopefully get a
25

1
2 better connection next time. I think we got most of
3 what you said, but we'll work on it. Thank you.

4 DANA ELDEN: Thank you.

5 CHAIRPERSON AVILÉS: I'd also like to
6 acknowledge my colleagues who have joined us. We
7 have Deputy Speaker Diana Ayala and Council Member
8 Carmen De La Rosa, and Council Member Barron seems to
9 have stopped out for a minute. Last but not least
10 we'll have Jaron Burke from WE ACT.

11 JARON BURKE: Thank you. Good afternoon,
12 Chair Avilés and the Committee on Public Housing. My
13 name is Jaron Burke. I'm the Environmental Health
14 Manager at WE ACT for Environmental Justice, and I
15 have my NPH from Columbia University and a focus on
16 air pollution specifically. Indoor air quality is
17 one of the many environmental challenges that NYCHA
18 responsibility face, and that includes exposure to
19 particulate matter, nitrogen oxides and carbon
20 monoxide. The majority of these pollutants are
21 generated through gas combustion, specifically from
22 gas appliances such as stoves and boilers, and
23 obviously there are other sources of indoor air
24 pollution as well. These pollutants are a concern
25 because they exacerbate cardio respiratory health

1 conditions, including asthma and chronic obstructive
2 pulmonary disorder, or COPD, and can also increase
3 the risk for heart attacks. In NYCHA developments
4 specifically, residents are disproportionately
5 bearing the health impacts of indoor air pollution
6 relative to other housing residents citywide.

7
8 Between 2010 and 2014, the age adjusted rate of
9 preventable asthma hospitalizations was more than 300
10 percent higher among public housing residents than
11 any other residents citywide. This increased burden
12 of hospitalization is not shared evenly across all
13 NYCHA developments. For example, some NYCHA
14 developments has up to a three times greater risk of
15 hospitalization for COPD compared to other
16 developments. In addition to air pollution from gas
17 combustion, mold and pests should be treated as
18 indoor air quality concerns as well because of their
19 role that they play in negative health outcomes
20 associated with asthma. Exposure to mold has been
21 associated with childhood wheezing and childhood
22 asthma while mold sensitization and exposure has been
23 associated with asthma symptoms, exacerbations,
24 emergency visits for asthma, and lower lung function
25 for urban children living with asthma. Pest

1
2 allergens such as mouse and cockroach allergens is
3 also a major cause of urban pediatric asthma
4 morbidity. Despite these well-documented health
5 impacts, there is no clear effort from NYCHA to
6 monitor indoor air quality in a meaningful way within
7 or across developments. While NYCHA does report to
8 have an Indoor Air Quality Oversight Team, or IAQOT,
9 as part of their Environmental Health and Safety
10 Department. The team only includes one administrator
11 and five specialists which is drastically
12 insufficient for monitoring the indoor air of all 326
13 NYCHA developments. To properly address the major
14 health threat that indoor air quality poses to NYCHA
15 residents, NYCHA must significantly scale up the
16 Indoor Air Quality Oversight Team to carry out
17 routine air quality monitoring along with targeted
18 air quality assessments in response to resident
19 complaints. Air quality assessments should be
20 prioritized for residents living with asthma, COPD
21 and other respiratory conditions. NYCHA should also
22 prioritize hiring current NYCHA residents for those
23 roles. I also want to say that NYCHA should also
24 coordinate with other third-party environmental
25 management testing companies to conduct random

1 testing throughout NYCHA development to ensure the
2 validity of air quality assessments conducted by
3 their own team. With that, I'll end, and thank you
4 for allowing me to speak.
5

6 CHAIRPERSON AVILÉS: Thank you. Thank
7 you so much. Can you tell me a little bit about your
8 experience? What do you see happening on the ground
9 with the tenants that you work with in terms of
10 NYCHA's activity on air quality?

11 JARON BURKE: I have heard from all the
12 NYCHA residents that we work with that had very
13 little, if any, exposure to this Indoor Air Quality
14 Oversight Team. I don't think any of them have
15 expressed a direct interaction with them themselves
16 and have not seen any direct indoor air quality
17 assessments. Most of what we hear from our residents
18 are complaints about some of the other things that I
19 mentioned like mold and pests and those exposures to
20 indoor allergens and pollutants and concerns about
21 their gas stoves and the shortness of breath and
22 other health impacts and emergency department visits
23 that they've experienced as a result, but very little
24 mention of any kind of testing that has happened as a
25 result on the part of NYCHA.

1
2 CHAIRPERSON AVILÉS: Have you seen any
3 written communications around any of these issues at
4 NYCHA, testing, any safety protocols, anything of
5 that nature?

6 JARON BURKE: Not to my knowledge, no.

7 CHAIRPERSON AVILÉS: And in terms of--
8 you mentioned-- you mentioned the three times greater
9 rate of hospitalizations for COPD, do you know which
10 developments those are referring to possibly off-
11 hand?

12 JARON BURKE: I can't speak off the top
13 of my head, but I can-- in my written testimony I'll
14 submit-- I'll include a reference. That study is
15 relatively recent as of 2020, and so I should be able
16 to include that.

17 CHAIRPERSON AVILÉS: We'd love to follow
18 up on that. Thank you.

19 JARON BURKE: Absolutely.

20 CHAIRPERSON AVILÉS: Thank you for the
21 work that you do. Thank you for supporting the
22 residents. Thank you.

23 JOEL KUPFERMAN: If I could just say
24 something about mitigation? I believe under the Baez
25 [sic] agreement stipulation is that to combat mold,

1 that HEPA vacuums would be provided. It's something
2 that it's probably one of the easiest fix in terms of
3 environmental impact. These HEPA vacuums grab the
4 dust, hold the dust that's there. EPA has used this
5 to fight lead, lead problems up in Syracuse and
6 elsewhere, and there's ways of providing them on a
7 lending basis, people could share. So, NYCHA hasn't
8 been fulfilling their obligation of HEPA vacuums, but
9 also the HEPA would deal with mold, also deal with
10 all that lead dust and the other dust that's coming
11 in. not only that, when they would use the NYCHA--
12 when HEPA vacuum would grab those samples, and it
13 gives us an archive to let people know what they're
14 being exposed to. So it's like a one-two punch. And
15 part of the problem also at NYCHA, people are being
16 exposed to pesticides fighting bedbugs and the like,
17 and there's plenty of programs out there that using
18 HEPA vacuums and steamers, and allowing the residents
19 to participate in this prevents pesticide exposure,
20 and also is one of the best ways of fighting bugs.
21 So, my opening talk was about the pesticides that are
22 in the soil. There's plenty of pesticide use that's
23 definitely overused and not controlled at NYCHA. So
24 the solutions are there, and I think one of the
25

1
2 questions on the financial end is like why can't they
3 go through the pyramid [sic] of sing [sic] which is
4 the cheapest way to expend some of this money and
5 even let the tenants participate in the cleanup and
6 the analysis. Besides the air monitor that I showed
7 you, I have a little 100 dollar thermometer,
8 electronic thermometer that will allow the tenants to
9 figure out where the water leak is in the wall so
10 they can help identify. So I think part of all that
11 money that's being spent-- the Section 3 that people
12 are being hired-- there should be training programs
13 that people become environmental analysts alone with
14 just a little bit of equipment. You should ask NYCHA
15 why didn't they ask EPA-- has a whole citizens
16 science program, that we could arm the tenants with a
17 little bit of training, minimal equipment, to be--
18 you know, to be their own monitors. Thank you.

19 CHAIRPERSON AVILÉS: Thank you.

20 COMMITTEE COUNSEL: As a reminder, all
21 witnesses can submit written testimony through
22 council.nyc.gov/testify. And I apologize misstating
23 your name earlier, Mr. Kupferman. My apologies.

24 JOEL KUPFERMAN: It's happened to the
25 best of us.

1
2 COMMITTEE COUNSEL: We'll now call the
3 representatives of NYCHA.

4 CHAIRPERSON AVILÉS: I'd like to
5 recognize we're joined by Council Member Pierina
6 Sanchez and we're joined again by Council Member
7 Barron.

8 COMMITTEE COUNSEL: If everyone's who
9 going to testify for NYCHA-- you could just raise
10 your hand and I'll administer the oath. Do you
11 affirm to tell the truth, the whole truth and nothing
12 but the truth in your testimony before this committee
13 and to respond honestly to Council Member questions?
14 You may begin.

15 CHIEF GREENBURG: Chair Avilés, members
16 of the Committee on Public Housing, other
17 distinguished members of the City Council, NYCHA
18 residents, community advocates, members of the
19 public, good afternoon. I am Brad Greenburg, the
20 Chief Compliance Officer at NYCHA. I am pleased to be
21 joined by Daniel Greene, our Senior Vice President
22 for Healthy Homes; Joy Sinderbrand, our Senior Vice
23 President for Capital Programs; Josephine Bartlett,
24 our Senior Director of Pest Management; and other
25 members of NYCHA's team. Thank you for this

1 opportunity to discuss air quality in NYCHA
2 apartments. Improving residents' quality of life is
3 at the heart of our mission at NYCHA. In the last few
4 years, we have focused on building out programs that
5 are helping to improve indoor air quality. Today,
6 I'll discuss some of those programs and the changes
7 we've made since we signed our Agreement with HUD,
8 the U.S. Attorney's Office for the Southern District
9 of New York, the EPA, and the City of New York. I
10 also look forward to discussing with you where we
11 must focus next and how we can work together to
12 invest in NYCHA's apartments. I know all of us care
13 deeply about the work we must do together to ensure
14 NYCHA's apartments remain a source of stable, deeply
15 affordable, and healthy housing for the hundreds of
16 thousands of New Yorkers who call NYCHA home. As you
17 know, NYCHA signed its Agreement with HUD in January
18 2019. The Agreement represented an inflection point
19 for NYCHA's history and we need to get it right. The
20 Agreement focuses on several critical pillar areas
21 that most impact residents. Many of these areas were
22 a focus of the Agreement precisely because of their
23 impact on indoor air quality and resident health.
24 That includes mold and leaks, pests and waste
25

1 management, and the need to invest capital in our
2 heat systems and other areas that can make a
3 difference for indoor air quality. I'd like to
4 highlight a few of the changes and investments we
5 have made in the last few years to help improve
6 indoor air quality. First, with respect to mold:
7 Mold tends to grow in wet or damp places, and
8 exposure to mold can cause allergic reactions or
9 asthma. NYCHA, in collaboration with our Independent
10 Data Analyst and Independent Mold Analyst and in
11 accordance with our Mold Action Plan, has focused on
12 a number of initiatives to help reduce mold growth in
13 NYCHA apartments. One key way that we're working to
14 improve air quality and reduce the occurrence of mold
15 is by enhancing and modernizing mechanical
16 ventilation systems at our developments. To improve
17 our ventilation systems, we had engineering firms
18 proactively inspect our fans and then we installed
19 oversized fans to ensure air can move more easily
20 through lateral vents. We also launched the Clean
21 Vents Initiative, where NYCHA staff use a HEPA vacuum
22 to remove dust and debris that have built up in
23 bathroom and kitchen vents over many decades. When
24 we do this work, we measure airflow volume to ensure
25

1 the upgrades are working. This was a massive
2 undertaking, launched during the pandemic, and we
3 recently celebrated the completion of the roof fan
4 portion of the project. Over the past two years, we
5 replaced 6,188 roof fans across the Authority.
6 Engineers determined that many of NYCHA's other roof
7 fans, 2,248 in total, are modern and function
8 effectively. Ensuring that roof fans are functioning
9 properly provides better ventilation for residents
10 and helps prevent humid, moist conditions that can
11 give rise to mold. New York City's Comptroller
12 audited the roof fan program and found that NYCHA's
13 Office of Mold Assessment and Remediation maintained
14 adequate controls over the project, including by
15 taking steps to combat delays, by using emergency
16 contracts, by mobilizing an asbestos team, and by
17 working with manufacturers to deliver thousands of
18 rooftop fans. NYCHA's Federal Monitor in a recent
19 report also noted that with completion of the roof
20 fan portion of the project, "Mold cases have been
21 reduced significantly in the past year." These are
22 steps in the right direction. We also recently
23 celebrated a milestone in our Clean Vents Initiative.
24 We have cleaned vents in nearly 70,000 apartments
25

1 across the city. Cleaning bathroom and kitchen vents
2 dramatically improves ventilation and air circulation
3 in apartments by an average of 37 percent. We aim to
4 finish this proactive effort to clean vents in all
5 applicable apartments by the middle of this year. To
6 date, the roof fan and ventilation-cleaning
7 initiatives have helped improve the quality of life
8 for about 85,000 NYCHA families. In the last few
9 years, NYCHA also rolled out the Mold Busters
10 initiative to ensure we properly inspect for mold and
11 excessive moisture conditions using objective
12 standards of measurement. Mold Busters involves
13 enhanced tools, materials, and strategies, along with
14 staff training and greater accountability through
15 photo documentation and follow-up inspections. As
16 part of Mold Busters, NYCHA staff must work through a
17 set of tasks, from cleaning vents and repairing
18 windows to remediating leaks and using mold-resistant
19 paint, all as part of a holistic approach to
20 remediating mold in a resident's apartment. We
21 ensure compliance with this new business process
22 through re-inspections by our Independent Mold
23 Analyst and our Environmental Health and Safety
24 Department and by using data tools developed by our
25

1
2 Independent Data Analyst. We also focus now on
3 completing the tasks identified in the unit during an
4 inspection that we know will help address the health
5 hazard in the more immediate term. Our work to
6 prevent and remediate mold is making a difference for
7 residents. To date, our Office of Mold Assessment
8 and Remediation, in collaboration with our Operations
9 team, closed nearly 17,000 mold-cleaning and mold-
10 resistant paint work orders as part of Operation Mold
11 Cleanup, which was launched in May 2022. We also
12 created a team dedicated to cleaning up mold. It has
13 completed about 2,300 mold-cleaning work orders to
14 date. Since it was established last year, our Mold
15 Inspection Initiative team has completed about 1,400
16 mold inspections at high-risk locations. A key tool
17 in fighting mold in the past year was the
18 introduction of the Mold and Leaks Scorecard, a
19 visual and assessment tool that rates the performance
20 of every single NYCHA development, providing us with
21 a greater understanding of where we need to focus our
22 Mold Busters-related resources. We use the Scorecard
23 to select developments with the most mold-related
24 work orders for our Enhanced Oversight Program,
25 creating performance milestones for these

1
2 developments and providing staff training when
3 necessary. As part of this program, we help close
4 mold inspections, mold-cleaning work orders, tub
5 enclosure replacement work orders, and other skilled
6 trades work. Our Building Line Initiative is
7 replacing entire plumbing systems in select building
8 lines that are failing quickly, leading to leaks up
9 and down the building line. This initiative helps to
10 address mold while upgrading kitchens and bathrooms.
11 Our Comprehensive Modernization program and our PACT
12 program also include plumbing systems in the scope of
13 work. Roofs and facades are also being addressed at
14 some locations using these and other capital sources.
15 But replacing our plumbing systems and addressing
16 sources of moisture penetration through our roofs and
17 facades across NYCHA's more than 2,000 buildings in
18 the long term requires tens of billions of dollars
19 and a real investment across the portfolio. Let me
20 emphasize this point: we have a short window to
21 address NYCHA's plumbing and its physical
22 infrastructure before the systems fail. Most of our
23 buildings were constructed in the 1940s and 1950s and
24 have not had their plumbing systems replaced since
25 they were originally constructed. To prevent moist

1 and damp conditions in NYCHA apartments, we need to
2 invest significantly in the properties. Now, we'll
3 talk about pests and waste management. Like mold,
4 managing pests in a way that protects residents'
5 health is an important pillar of our Agreement with
6 HUD. The Agreement focuses on the extermination of
7 pests, including rats, mice, and cockroaches, which
8 can be sources of indoor allergens. The Agreement
9 also requires that we adopt Integrated Pest
10 Management, or IPM, an environmentally sensitive
11 approach to extermination that ensures we are not
12 impacting air quality with excessive spraying of
13 pesticides. NYCHA's Pest Control Department, in
14 collaboration with the Federal Monitor under our
15 Pests and Waste Management Action Plan, has focused
16 on a number of initiatives to help reduce pest
17 populations in NYCHA apartments. For instance, NYCHA
18 has been changing its business process, using a new
19 IPM Standard Procedure designed with the Federal
20 Monitor's expert entomologist, to emphasize a set of
21 tasks that reduces indoor allergens while also
22 getting at the root cause of pest infestations. In
23 accordance with IPM principles, NYCHA uses residual
24 sprays less often and instead applies more gel in our
25

1 pest treatments, benefitting residents' health.

2 NYCHA's exterminators also use a HEPA vacuum to

3 remove any roach shells or rodent droppings, which

4 can impact respiratory conditions. And our

5 exterminators use exclusion techniques to prevent

6 entry by pests into the apartment in the long term.

7 As with the Mold Busters process, we built these

8 steps into staff's handheld devices so that we can

9 review compliance with these new requirements. And

10 we launched several trainings for our exterminators

11 and their supervisors on these new techniques. We

12 also put in place an accountability structure to

13 ensure compliance with these requirements on an

14 ongoing basis. This includes the use of data tools,

15 re-inspections and observations by our Quality

16 Assurance Department and our Environmental Health and

17 Safety Department, and the Federal Monitor. We

18 expect that a continued focus on IPM principles will

19 reduce the pest population over the long term. In

20 2022 we had almost 15 percent fewer verified pest

21 complaints from residents compared to the year prior,

22 a strong early indicator that IPM is working. The

23 Agreement also requires that we provide an expedited

24 response to pest conditions in households designated

1 as pest-sensitive. NYCHA now conducts outreach to
2 residents so they know they can self-identify as a
3 household where someone in the family has a
4 respiratory illness, immune deficiency or
5 suppression, or someone's health is otherwise
6 impacted by insects or rodents. We are using this
7 information to prioritize inspections and treatment
8 in these households. We use multiple sources of data
9 to ensure we appropriately tag these units for
10 expedited service. Now, I'll talk about
11 sustainability initiatives. There are many other
12 efforts underway that will help improve indoor air
13 quality at NYCHA. Our range of sustainability
14 initiatives not only help to improve service delivery
15 and enhance the performance of building systems, but
16 they also benefit the environment and provide
17 residents and the community at large with a cleaner,
18 healthier environment. Our Agreement with HUD
19 requires that we replace 500 boilers through both
20 PACT and our capital program. At many sites, both
21 our PACT partners and NYCHA Capital Projects team are
22 leading projects that will help us move away from
23 fossil fuel-powered heat and hot water systems, by
24 deploying geothermal energy and electric heat pumps.
25

1
2 Burning fossil fuels on our campuses contributes to
3 greenhouse gas emissions that impact air quality.

4 Through the Clean Heat for All Challenge, a
5 collaboration between NYCHA, the New York Power
6 Authority, and the New York State Energy Research and
7 Development Authority, an initial \$70 million
8 investment will result in the development and
9 production of 30,000 new heat pumps for NYCHA
10 residents. This electric, efficient, easily
11 installable technology will provide reliable heating
12 and cooling for thousands of residents. NYCHA has
13 also been partnering with WE ACT for Environmental
14 Justice, our nonprofit partner, to replace gas
15 stoves, which studies show can impact indoor air
16 quality. Soon, 1471 Watson Avenue will become the
17 first NYCHA building to fully convert from gas to
18 electric use when all residents' gas stoves are
19 replaced with electric induction stoves. We want to
20 upgrade all our campuses with modern heating,
21 cooling, and cooking systems. If we invest, we can
22 move more of our buildings toward full
23 electrification, installing new appliances and
24 cleaner building systems. I'd like to mention some
25 other initiatives that demonstrate our commitment to

1 improving air quality in NYCHA apartments. The
2 Smoke-Free NYCHA initiative promotes healthier homes
3 for residents and healthier working environments for
4 employees by reducing exposure to secondhand smoke
5 and providing support and resources to residents and
6 employees who want to quit smoking. In accordance
7 with HUD regulations, smoking is prohibited inside
8 NYCHA buildings and within 25 feet of NYCHA
9 buildings. NYCHA's Smoke-Free team uses evidence-
10 based methods to provide education on the harms of
11 tobacco and exposure to secondhand smoke. Project
12 staff includes the Smoke-Free NYCHA Liaison team of
13 community health workers who provide strategic
14 support at a borough level. NYCHA's Health
15 Initiatives team also recently launched the Healthy
16 Start at NYCHA program. This program provides
17 supplies and assistance to expecting and pregnant
18 residents, and like pest-sensitive households, we tag
19 these units to ensure we prioritize repairs that may
20 impact the health of our future NYCHA residents.
21 Ensuring that our developments are safe and healthy
22 places for residents to live is our top priority at
23 NYCHA. We believe that we are making progress across
24 many of the areas that I discussed today, from pest
25

1
2 management to mold remediation, areas that are
3 critical to residents' quality of life. We know too
4 that there's considerably more work still to do and
5 more investment needed to ensure NYCHA's residents
6 live in the high-quality, modern housing they
7 deserve. We appreciate your partnership as we
8 continue working to promote healthy homes for NYCHA
9 residents. We're happy to answer any questions that
10 you may have, and thank you.

11 CHAIRPERSON AVILÉS: Thank you so much.
12 Thank you so much for your testimony and your work.
13 I'm going to turn it over to my colleagues to ask
14 their questions first, and then we can go to my very
15 mundane questions after that. Oh, first we're going
16 to hear from Council Member Barron.

17 COUNCIL MEMBER BARRON: Thank you, Madam
18 Chair. You know every time I hear these testimonies,
19 read this report, we would think that we living just
20 so well in NYCHA residence and everybody's doing
21 well, that molding is being dealt with. Still a
22 little more work to do. And we have pests. We have
23 big rats that you call pests. But they big rats and
24 they in many, many residence. And so when I hear
25 these reports, it doesn't match the reality. It just

1
2 doesn't match the reality. When I go to Linden [sp?]
3 Houses, you know, Boulevard, all of the 10
4 developments in my district, it doesn't match that
5 reality. And I just want to know what are we going
6 to do in the next year with what kind of capital
7 commitments. Are you getting from the City, State,
8 feds? And how are we utilizing the capital money
9 you already have, and how much is that? And not that
10 this matters a whole lot, sometime, but I also find
11 it interesting, you don't have a black person up
12 here, and most of our residents are, I mean, black
13 and brown. But yet, when you make these
14 presentations-- and unless y'all can find a black or
15 brown person that will go along with all of us. We
16 don't have any. If someone's going to be strong and
17 objective and take the side of the residents, they
18 don't seem to get in these high positions. So, I
19 want to have a frank, real frank talk with you, not
20 you know, what you prepared for us. Molding is a
21 serious problem, and in one of my developments, I
22 joined people who had to take NYCHA to court for lead
23 paint. Lied and said they did testing that never
24 happened, and didn't fix up places that needed to be
25 fixed up. So when it comes to NYCHA residents, I just

1 don't think that we respect them, forget as citizens,
2 but human beings, because there's no way you would
3 allow human beings to live the way our residents live
4 in NYCHA. I grew up in the Lillian Wald [sp?] Houses
5 on Avenue D and Sixth Street. For 30 years I lived
6 in a NYCHA residence, and I know what happens, what
7 goes on with management and some of the management is
8 very disrespectful. They have no respect for the
9 residents and these are major, major issues, and
10 that's because I don't think they think we're human
11 beings of the quality that they might respect for the
12 upper class, but when it comes to us, it's a whole
13 different story. And finally, it seems like much of
14 the capital money that's being allocated by the City
15 and maybe by NYCHA is going to those who are in PACT,
16 and if they're not in PACT, they don't get the same
17 priority. So that's a way of twisting arms and
18 convincing residents to get in the PACT/RAD, and I
19 don't trust the Trust program. So these are some
20 very issues as NYCHA begins to privatize. You know, I
21 support-- 100 percent I don't support those three
22 programs, but I support my tenants if they decide to
23 do that. We want to make them do it right. Even in
24 PACT-- we went to some of the places in PACT, holes

1
2 all in the wall. Apartments are being done over with
3 the residents still in there. We had a case in
4 Linden Houses where the workers that PACT hired
5 robbed a tenant three times, and we still dealing
6 with some stuff. So, you know, on the ground we're
7 suffering. On the ground, people are living in very
8 unhealthy conditions. In the richest city in the
9 world, the richest state in the world, the richest
10 country in the world, how the hell do we have
11 residents living the way that they're living? So
12 don't come with no flowery report and then when we
13 come to the reality, it's just totally different than
14 everything that you just said, because I walk the
15 streets with my residents. I go into their
16 buildings, into their homes, and I know that this is
17 not the reality that they're living. So I want to
18 address some of that. First, how come you don't have
19 no black people up here? I mean, y'all can even pick
20 out one that would agree with you.

21 CHIEF GREENBURG: Sure. I'm happy to
22 talk about the need for-- I don't think any of us
23 disagree hit you that a lot of our properties are not
24 in the conditions that our residents deserve. It
25 comes from decades of disinvestment. I was at the

2 Boulevard Houses actually two weeks ago and also at
3 Linden Houses and Penn-Wortman. I do think the
4 improvements there are noticeable. It's very
5 difficult to--

6 COUNCIL MEMBER BARRON: [interposing] Now,
7 hold up. Let me stop you right there. You noticed
8 the outside, right?

9 CHIEF GREENBURG: Yeah, we did--

10 COUNCIL MEMBER BARRON: [interposing] Did
11 you go inside?

12 CHIEF GREENBURG: We did go into some
13 apartments as well. I do think--

14 COUNCIL MEMBER BARRON: [interposing] No,
15 no, when you go inside--

16 CHIEF GREENBURG: [interposing] that there
17 are--

18 COUNCIL MEMBER BARRON: [interposing] No,
19 I want-- if you misstate something, I'm going to
20 correct you. If you went into those development and
21 you heard from tenants--

22 CHIEF GREENBURG: [interposing] I agree
23 with you.

24 COUNCIL MEMBER BARRON: Just on the
25 outside it looks done, and on the inside it's some

1
2 cheap superficial facial stuff that they put up to
3 make the residents think that they got something
4 good. Heating was a problem in all of those
5 developments. Mold was still a problem. Holes were
6 still in their apartments. So don't-- don't tell
7 people-- quickly talk over it like I've been to
8 Boulevard, I've been to Penn-Wortman, and they're
9 doing alright. No, that's not true.

10 CHIEF GREENBURG: I agree with you that
11 there's definitely a lot more work to do. You know,
12 like I said in the testimony, we at NYCHA want every
13 possible resource to invest in the properties. We
14 think it's important that the building is
15 rehabilitated to a state of good repair. I don't
16 think that I would ever characterize the condition of
17 the properties as being what it needs to be for NYCHA
18 residents. I think all of us on this panel agree
19 with that characterization. So, I thank you for what
20 you said.

21 COUNCIL MEMBER BARRON: I don't want you
22 to thank me for anything, and don't placate me and
23 speak like that to me. I don't like that. And I
24 know everybody wants everybody to do well, but with
25 the resources you have, there's been mismanagement,

1
2 with what you have, not what you need to get and want
3 to get better, but just maximizing on the resources
4 that you do have and the quality of management that
5 can be done. In the management office, get rid of
6 disrespectful, discourteous people that speak down to
7 our people, because they have a disdain for people
8 who are struggling. So don't placate me with now
9 superficial answer and thank me for anything. I'm
10 making these statements so that we can tell the truth
11 about what's going on in NYCHA development, 335
12 development over 530,000 residents and 177,000 units.
13 We have serious problems.

14 CHIEF GREENBURG: Yes, sir.

15 CHAIRPERSON AVILÉS: Thank you, Council
16 Member Barron. I want to acknowledge we've also been
17 joined by Council Member Lincoln Restler and Council
18 Member Mealy. Thank you both for joining us. And
19 next we'll have Council Member Sanchez.

20 COUNCIL MEMBER SANCHEZ: Thank you.
21 Thank you so much, Chair, and good afternoon NYCHA.
22 So, Council Member Barron touched on these, but one
23 of the concerns that I've had and that I've heard
24 from residents in my district who have not yet
25 undergone RAD/PACT conversions but are in discussions

1 and who are getting presentations about the Trust is
2 what happens during construction, right? So,
3 thinking about air quality, what are the safeguards
4 that are in place? I understand that NYCHA has
5 requirements for contractors that do work at NYCHA,
6 but what about during these construction-- these
7 conversion processes?
8

9 CHIEF GREENBURG: So, we don't treat a
10 RAD/PACT development differently. You know, like I
11 said, I was at a bunch of RAD/PACT sites recently.
12 There's a long process that we have in place prior to
13 the conversion, that there are submissions that take
14 place for environmental review process. We also do a
15 lot of physical testing and other testing of
16 environmental hazards, and then we uphold a really
17 high standard for our PACT developers. So we have a
18 third party independent mold analyst that looks at
19 mold at PACT sites. We also have an environmental
20 engineering firm, a third party firm, that is our
21 oversight entity for all of lead-based paint-related
22 work that happens at a PACT site. So we take really
23 seriously our obligation also at PACT sites to make
24 sure we manage the construction. We're very
25 conscientious about the environmental hazards that

1
2 exist at the property and that we manage the
3 construction effectively. And it's something that's
4 very important to us. Obviously, I think the PACT
5 program is one way that we have to rehabilitate
6 properties. There are many others that we're hoping
7 will be successful as well that are internally
8 managed like the comprehensive modernization program
9 that I think you alluded to, and you know, we really
10 want to have one consistent standard across all of
11 our properties when it comes to environmental hazards
12 and construction management.

13 COUNCIL MEMBER SANCHEZ: Thank you. So,
14 to follow up on that, and if the Committee doesn't
15 already have this would be good to just see spelled
16 out what are those, you know, dust and debris
17 remediation measures, just what those protocols are
18 and those requirements. And you mentioned testing
19 that happens on construction sites, that would be
20 helpful to have. my follow-up question is how does
21 NYCHA respond to complaints about construction site
22 dust and debris, and in particular have you noticed
23 or do you keep record of whether there is a
24 difference between complaints by number of sites, you
25

1
2 know, just normalize it, but is there a difference by
3 NYCHA Section 9 and converted sites?

4 CHIEF GREENBURG: That's a good question,
5 Council Member. I mean, I'll ask-- I'll have Joy
6 kind of talk about the way that the capital projects
7 folks manage complaints that come in about dust
8 related to construction. We do take-- in the
9 Compliance Department at least we take complaints
10 from any resident, whether it's a resident of a PACT
11 side or a resident at a public housing site, a
12 Section 9 site. We also monitor mold and leak
13 complaints and other pest-related complaints at both
14 sets of developments. We do notice that when we
15 invest in the property, especially at the PACT sites
16 when we invest in a comprehensive renovation, the
17 number of complaints like mold-related complaints
18 comes down significantly. So within a couple years
19 of construction starting you see a lot fewer
20 complaints. You see the ability to respond much more
21 quickly. The complexity of the complaint is not
22 nearly as troubling as it sometimes at the properties
23 that haven't been invested in. But the Compliance
24 Department gets routine reporting from kind of
25 everybody and we do follow-up investigations in both

1 programs. And that's-- that's the main trend we see
2 is that as you invest there are fewer related air
3 quality complaints like mold and pests. But Joy, do
4 you want to talk about dust control at NYCHA
5 construction?
6

7 SENIOR VICE PRESIDENT SINDERBRAND: Sure.
8 Thank you for the question.

9 COUNCIL MEMBER SANCHEZ: Hi, Joy.

10 SENIOR VICE PRESIDENT SINDERBRAND:
11 Hello. I wanted to thank you for the question
12 because we've actually invested additional resources
13 in both addressing dust mitigation complaints, but
14 also giving residents more opportunities to make
15 complaints not just through the formal channels, but
16 also through community outreach staff who are making
17 in-roads at the developments with the tenants
18 associations and property management to make sure
19 that construction is not a disruptive-- sorry-- a
20 disruptive force. We've-- one second. Very limited
21 number of our projects involve major excavation and
22 moving of soil, but even so we know that there's
23 disruption when do projects in apartments and around
24 the buildings, so we have city, state, and federal
25 requirements to follow code in our contracts. We

1
2 have construction management on the ground, and we
3 also have a safety and quality group within NYCHA
4 that makes unannounced visits to sites to oversee
5 where there are complaints. So if we hear a pattern
6 of complaints, we make sure that that group makes
7 additional visits so that we can respond in real
8 time.

9 COUNCIL MEMBER SANCHEZ: Thank you, and
10 thank you for your long-standing service at NYCHA.
11 Thank you, Chair.

12 CHAIRPERSON AVILÉS: I will say hi Dan
13 while I'm at it. I think next we'll move to Council
14 Member Restler.

15 COUNCIL MEMBER RESTLER: Thank you so
16 much, Chair Avilés. Pierina's always a very tough
17 act to follow, but I have a few additional questions
18 I'd like to ask. You know, there's so many
19 contributors to poor air quality in NYCHA apartments,
20 from mold to pests, or as Council Member Barron
21 artfully pointed out, rats, aging building,
22 ventilation infrastructure, but one of the things
23 that I think easy for us to fix are gas stoves.
24 Cooking a standard meal on a gas stove in the Bronx
25 results in nitrogen dioxide concentrations above what

1 the EPA considered "unhealthy for sensitive groups."

2 A recent study from December 2022 in east Bronx

3 apartments estimated that 19 percent of childhood

4 asthma cases in New York might be prevented if

5 households didn't have gas stoves. NYCHA did a pilot

6 I believe of just 10 apartments in the Bronx that

7 found households with inductions or electric ovens

8 had a 35 percent decrease in concentrations of

9 nitrogen dioxide, 43 percent reduction in carbon

10 monoxide, and residents reportedly were very happy

11 with their cooking, importantly. So what would it

12 take for NYCHA to switch out gas stoves in all units?

13 Is NYCHA pursuing replacements of gas stoves in

14 current renovations that are happening?

15 CHIEF GREENBURG: Well, definitely have

16 Vlada Kenniff who's our Sustainability Initiatives

17 head come up and talk about the pilot.

18 COUNCIL MEMBER RESTLER: And I can just

19 offer some color. There are comprehensive

20 modernizations happening in multiple developments in

21 my district and nobody's talking about replacing gas

22 stoves despite our pushing and prodding and

23 encouraging it. So, that's the context of the

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

question. We don't see it happening even in places where work is going on.

CHIEF GREENBURG: Yeah, we can-- I'll talk to the folks from the Comp [sic] Mod [sic] team. I mean, I think one of the things that-- it's not so simple. So you know, we either see very old buildings and very old electrical wiring, and so the electrical wiring, and so the electrical capacity isn't there to support stoves in every unit. And so as part of the comprehensive renovation, it's definitely something that we can try to do, but it's challenging because of the state of the infrastructure to try to electrify the buildings. But Vlada [sp?] You can talk about.

COMMITTEE COUNSEL: If you could-- sorry, I'm just going to have you identify yourself by name and then we'll have swear the oath. Please raise your right hand. Do you affirm to tell the truth, the whole truth and nothing but the truth in your testimony for the committee and to respond honestly to Council Member questions?

SENIOR VICE PRESIDENT KENNIFF: Yes.

1
2 COMMITTEE COUNSEL: And just for the
3 record, if you could say your name and title so that
4 we have it for the transcript.

5 SENIOR VICE PRESIDENT KENNIFF: SVP for
6 Sustainability, Vlada Kenniff. Thank you for that
7 question. We're meeting tomorrow, Council Member
8 Restler, to talk about heat pumps. We proactively
9 worked with WE ACT when they approached us to do the
10 pilot that we spoke about at 1471 Watson. Even
11 before the Federal Government has released many of
12 the studies that you're quoting and worked to monitor
13 the air quality in those 10 apartments, and you
14 quoted the results. It is very clear that there are
15 reductions. The-- unfortunately, the installation of
16 induction stoves is not that simple. The reason we
17 were able to do it in those 10 apartments is because
18 we had a weatherization assistance program provider
19 that was able to provide the electrical upgrades that
20 were minimal. We will need to upgrade the electrical
21 infrastructure in the building to implement across
22 the rest of the units in that particular building,
23 and in the process we learned that although the
24 technologies exist, the state of the building as Brad
25 had earlier said is such that the electrical

1
2 infrastructure will need to be upgraded in all the
3 kitchens. There isn't a stove that can just simply
4 plug into the existing infrastructure. So--

5 COUNCIL MEMBER RESTLER: [interposing]
6 Your confident across the full diversity of the NYCHA
7 portfolio, 150,000-180,000 units, whatever that
8 number is, there isn't a building that could handle
9 upgrades to replace gas stoves?

10 SENIOR VICE PRESIDENT KENNIFF: We're
11 going to continue to look into it. I think that
12 that's a valid point. There may be some apartments
13 where electrical is maybe close, but it is-- you
14 know, it's a consideration--

15 COUNCIL MEMBER RESTLER: [interposing] We
16 have NYCHA developments that were built in the 1990s.
17 I mean, it's not-- I mean, they were the most recent,
18 but they exist. I'm struggling that all--

19 SENIOR VICE PRESIDENT KENNIFF:
20 [interposing] Yeah, I think I was answering your
21 question across the portfolio. I think that, you
22 know, there could be select buildings where, you
23 know, it is implementable, and we will continue to
24 look into those--
25

1 COMMITTEE ON PUBIC HOUSING 62

2 COUNCIL MEMBER RESTLER: [interposing] Is
3 that some that NYCHA--

4 SENIOR VICE PRESIDENT KENNIFF:
5 opportunities.

6 COUNCIL MEMBER RESTLER: is considering
7 or working toward?

8 SENIOR VICE PRESIDENT KENNIFF:
9 Absolutely. Absolutely.

10 COUNCIL MEMBER RESTLER: [interposing]
11 What do you have to show for that?

12 SENIOR VICE PRESIDENT KENNIFF: I'm
13 sorry?

14 COUNCIL MEMBER RESTLER: What do you have
15 to show for that?

16 SENIOR VICE PRESIDENT KENNIFF: I would
17 like to talk more about it. I think that we'll be
18 making a more formal announcement similar to Clean
19 Heat for All, and we are working with the NYSIRTA
20 [sp?] and other partners to address your specific
21 question.

22 COUNCIL MEMBER RESTLER: I think this is
23 an opportunity to directly address the health
24 conditions of NYCHA residents, and it is a question
25 of political will and the resources that we're

1 prepared to commit. I just-- it's a final question.
2 I'm very excited about the work that you're doing
3 around the 30,000 heat pumps, and that's a meaningful
4 number, but it is a sixth for last of the NYCHA
5 portfolio. Is there a broader plan that you can
6 speak to for how we're going to try to move more of
7 our development away from boiler systems? And I
8 just-- and kind of traditional fossil fuel and gas
9 heat. The-- and I ask that question because we're
10 still investing enormous sums of money in replacing
11 boiler systems around the NYCHA portfolio. So it
12 feels like we're putting all of these resources in
13 exactly the wrong place for our climate future,
14 rather than improving the air quality and making
15 sustainable investments that our climate requires,
16 and it would be a huge boom to the health of the
17 NYCHA residents. So, could you speak to the broader
18 plan on heat pumps beyond this initial number and why
19 we are continuing to make such deep investments in
20 antiquated boiler systems?

22 SENIOR VICE PRESIDENT KENNIFF: Yeah, we
23 don't disagree, but these investments need to be made
24 because you know, the heating systems are at the end
25 of their useful lives, and they're in progress.

1
2 There are in technologies that compete with the cost
3 of the boiler replacements, and that's what--
4 precisely why we pursue the Clean Heat for All and
5 the Basement [sic] challenge to try to get the cost
6 of those technologies down so that they can actually
7 compete. And we shifted some of the funding that was
8 dedicated to boiler replacements toward the Heat Pump
9 Challenge. So those are really important steps that
10 we already took. We continue to advocate. We have
11 released the sustainability agenda and the climate
12 mitigation road map, very clearly identified each one
13 of our developments. There's a public de-
14 carbonization map, if you look for it. It's going to
15 show you exactly where we're targeting scopes for
16 clean heat and clean domestic hot water systems, and
17 we're using that as a tool for advocacy, both with
18 state and city and federal partners and for the
19 funding that's out there through IRA and other
20 incentives.

21 COUNCIL MEMBER RESTLER: Well, I think
22 we're meeting next week, but I'm really looking
23 forward to helping support those efforts in any way
24 that I can. And we met with Gradient last week to
25 learn a little bit more about their model in

1 particular on heat pumps. I was very impressed. So,
2 we're eager to be partners in advancing these goals
3 and helping to identify the resources that are
4 needed. So thank you very much.

5
6 CHAIRPERSON AVILÉS: Thank you. Next we
7 will have-- we want to recognize Council Member Chi
8 Ossé, and next we will have Deputy Speaker Diana
9 Ayala.

10 COUNCIL MEMBER AYALA: Good afternoon.
11 I'm going to piggyback off of some of what my
12 colleagues have already said, but in regards to the
13 construction debris and oversight, I had-- you know,
14 I just want to get on record that at Mitchell Houses
15 we had a situation like that where they were doing
16 the roof and there was a lot of debris that fell onto
17 the air conditioners of the residents on the top
18 floors, and then they were advised that there may
19 potentially be lead in that debris, and they had
20 already been using the air conditioning. So, you
21 know, it had not been addressed until-- by accident,
22 you know, I happened to be knocking on doors that day
23 and was presented with this circumstance and I was
24 able to bring it back to and NYCHA quickly pivoted to
25 the contractor and had them come in and look at it,

1 but I think similarly you're seeing and what you're
2 hearing is that there's an oversight issue at NYCHA.
3 I think we all understand the issues, right? Mold is
4 not good for you. Rat feces is not good for you. You
5 know, construction debris is not good for. Lead is
6 not good for you. The fuel that's coming out of the
7 temporary boilers are not good for you. We know
8 this. Unfortunately, we're not monitoring with the
9 level of consistency that is required to ensure that
10 the human beings that are left to live in those
11 conditions are not subject to that. And so I would
12 like to hear more, because I think you know, it's
13 redundant to kind of go over-- we already know what's
14 happening. I have seen a tremendous increase in the
15 number of complaints that my office receives
16 regarding rats which horrifies me. I have a lady
17 that is a resident of Wagner Houses that had a rat
18 infestation that required, you know, emergency
19 services to come in and, you know, and remediate, but
20 these were two senior citizens that were living in
21 that apartment, right? I wonder, like, isn't
22 management-- isn't the manager's responsibility at
23 the development to actually walk around, to get out
24 of the office, to go through the development, to
25

1 visit the buildings, to speak to the residents?

2 Because I can tell you that's not happening. So you
3 do have a management issue, and I just really want to
4 hear, you know, if that's something that you're
5 working, you know, to address and what, you know--
6 what the-- how often is whoever's responsible for
7 monitoring these conditions doing that?

8
9 SENIOR VICE PRESIDENT SINDERBRAND: Thank
10 you for that question, and I'm not personally aware
11 of the Mitchell Houses issues, but I'll look into it,
12 because that should never have happened.

13 COUNCIL MEMBER AYALA: Yeah.

14 SENIOR VICE PRESIDENT SINDERBRAND:
15 Particularly, before some days, but just in general,
16 we require our contractors to secure their materials.
17 There should never be anything going off the roof,
18 let alone anything that could be harmful to a
19 resident. The field staff, either our Construction
20 Management agents or our Field Operation staff, they
21 should be in the field daily or on a regular basis,
22 and I can't speak to the property management staff,
23 but contract responsibilities fall under me. My team
24 needs to be monitoring the contractors. It's not up
25 to property management to be on top of them. So, we

1
2 need to make sure we have the right level of
3 oversight, and if you have any conditions like that,
4 please let us know right away. We will make sure--

5 COUNCIL MEMBER AYALA: So, how are you
6 able to do that from City Hall, from your offices
7 downtown? Do you have staff at every borough that is
8 doing that for you that is reporting back to you?
9 Are you-- who's reporting back to you?

10 SENIOR VICE PRESIDENT SINDERBRAND: So,
11 every project is managed in the field either through
12 our agent-- so we either hire a company to represent
13 NYCHA in the field, or we use our Project Management
14 staff, our Field Operations staff to represent us in
15 the field. We're currently managing about 600 active
16 projects in various stages. So, depending on how many
17 projects we have active, we either have in-house
18 staff or external staff.

19 COUNCIL MEMBER AYALA: Yeah, I don't
20 know. I don't see how it's possible to have, you
21 know, the level of oversight needed at that many
22 sites with the current staffing ratios, and I think
23 that-- again, that's what's leading to your
24 management issue. Even when it comes to the
25 contractors regarding the-- you know, and the issue

1 at Mitchell was, you know, we had it addressed. But
2 one of the things that we, you know, highlighted, you
3 know, during that visit was also that there were
4 these nets that were put in behind the fencing,
5 because of the construction, and behind the nets
6 there was a huge accumulation of garbage that was
7 also know very attractive to the rats, and in fact
8 there was a rat sitting-- and I have the video, I
9 still have it somewhere in my phone-- sitting on the
10 stool eating an orange while we were coming in and
11 out of the building. Didn't move. Didn't care. His
12 buddies were, you know, hanging out on the side, but
13 a lot of that was because of the garbage build-up
14 that had been there for such a long time that I
15 almost literally climbed the fence myself and cleaned
16 it because I was so irate. You know, and so-- look,
17 I don't have any reason to believe that any one of
18 you sitting there is insensitive to these issues. I
19 really just want somebody to sit through and, you
20 know, and really come up with a comprehensive plan,
21 because at the end of the day these are people that
22 have-- we have people that have serious respiratory
23 issues. I have some of the highest asthma rates in
24 my-- you know, in my district, both East Harlem and
25

1
2 the South Bronx. My kids are already, you know,
3 living bordered in between highways. They're-- you
4 know, and I have portable boilers everywhere. I have
5 complaints of soot coming from those portable boilers
6 from tenants across the street from Metro Houses,
7 Metro North Houses. You know, that shouldn't happen.
8 Families, because you know, because you live in a
9 certain zip code should not be subject to these
10 conditions. They're serious enough that they, you
11 know, they merit an emergency response, and I think
12 that that's my problem is that in my observation
13 there's no immediacy here to really treat these
14 conditions that are literally killing black and brown
15 people. Thank you.

16 SENIOR DIRECTOR BARTLETT: Hi, I'm Josie.
17 I'm the Senior Director of Pest Management, and I
18 just want to speak about what we're doing for pest
19 management, making sure that we have eyes on a lot of
20 different places. So, starting in January 30th, all
21 of pest management is now under the Pest Management
22 Department. It used to be operated by a bunch of
23 different groups, and because of that merger, we have
24 people in the office who are able to close work
25 orders, do things that are, you know, paper-heavy,

1 anything like that. Previously, the supervisor of the
2 exterminators were doing a lot of this work, and
3 that's not what they should be doing. Now they're--
4 they're shadowing their staff a lot more. The need
5 to be doing it at least twice a week along with
6 inventory checks and all the emergency things that
7 come up, but they're able to do that a lot more. We
8 have-- and this is for each group of 15. We also
9 have two administrators that I never see in the
10 office. They are always popping on staff. We also
11 have our director of our exterminators who is
12 primarily in the field, the Wagner situation you had
13 and myself and director was there when we had to
14 remove the rat. Also, something that when Council
15 Member Avilés and we were at Red Hook, the
16 communication between what's going on in the
17 construction sites and us needs to be stronger. One
18 thing that we've implemented within PMD just in the
19 last month is we have a QA team of 10 people that
20 work with our vendors. We use three different
21 vendors to help us get to pest work orders in a
22 timely matter, because we are slowing down because we
23 are using IPM. All these work orders take a lot more
24 time, but we're seeing less repeat infestations. But
25

1 we use vendors to supplement, but we want to make
2 sure that we're doing good work, so we have this team
3 with them 80 percent of the time watching them,
4 making sure they're doing the caulking right, make
5 sure they're sealing the holes, but something we've
6 added with the construction site is this QA team on
7 the report of every day they do a walk-through, and
8 if they see any burrows, they note it on our report,
9 and we sent it over to capital. We're having-- it's
10 going to be-- it's a monthly meeting to go through
11 our tracker, but we're talking a lot more. This is a
12 new process to really make sure that my team sees
13 something, it gets reported. It was more like, oh we
14 see this. This is way more formalized, and I think
15 that we're going to have better results of this. I
16 also-- just to get a head of a lot of things. So
17 when our exterminators go in, they treat an issue,
18 they put corrective action taken. They have to mark
19 the level of infestation they see. Where for the
20 high infestations which is a small universe, we're
21 making sure that we're going-- the supervisor of
22 exterminators that are out in the field, every-- as
23 those come in, they go and knock on the doors and see
24 what other things are contributing, because a lot of
25

1
2 these, there's you know, skilled trades that we need
3 to escalate, follow-ups that need to be coordinated a
4 lot more closer. We need to do more-- we're already
5 building in the follow-ups that are needed. Pests,
6 you don't just one and done. But these high
7 infestation pro-active, you know, checks, I think
8 also are allowing us to get more oversight and, you
9 know, eyes on what's going on.

10 CHAIRPERSON AVILÉS: I just want to ask a
11 question because I know you brought it up. The
12 extermination, does NYCHA exterminate every unit on a
13 monthly basis?

14 SENIOR DIRECTOR BARTLETT: No.

15 CHAIRPERSON AVILÉS: No.

16 SENIOR DIRECTOR BARTLETT: No. We do not
17 have routines at this time, but so if you-- one way
18 that we're getting to a lot more apartments than if
19 you just call it in, because we know that not
20 everyone is calling these in. So if there's a mold
21 inspection, when-- if they see any signs of pests,
22 then the extermination work order is put it in. We
23 go in. Also, the annual-- the maintenance
24 inspections that happen, they see pests, the
25 extermination work order is created. We go in. And

1
2 then also if the exterminator goes and-- depending on
3 the level of infestation. So any level rats in the
4 apartments, any level of bed bugs, medium-high mice,
5 or high roaches, adjacent apartments have to be
6 checked. So, the exterminator marks the adjacent
7 apartment. Work orders are created. We schedule it
8 with the resident and we go in. So it is not routine
9 and maybe something that we can work into in the
10 future is definitely on our mind, but right now this
11 is how we're doing a wider universe than just call
12 in.

13 CHAIRPERSON AVILÉS: And you're educating
14 the residents how? So, I mean it's-- because I don't
15 remember seeing any type of posting in the building
16 that says hey, if you have roaches or if you have
17 mice and you're in need of exterminating, you know,
18 please make sure to contact management. I mean, that
19 level of education, you know, it continues to be
20 needed. It's not something that, you know, people
21 just-- not everybody just thinks that, you know,--

22 SENIOR DIRECTOR BARTLETT: [interposing]
23 Yeah, call us.

24

25

1
2 CHAIRPERSON AVILÉS: some people have
3 been living in these conditions for so long that it's
4 been normalized, right?

5 SENIOR DIRECTOR BARTLETT: Yeah, I mean,
6 we're-- we're creating posters that are going to be
7 around that, but is around preparedness for us, so it
8 would definitely have people's mind. We're using
9 graphics like, "If you clear out your cabinets, we
10 can see more holes. If you see-- if you pull out
11 things from your closet." So that would kind of
12 address what you're saying as well. It's something
13 that we're definitely looking into.

14 CHAIRPERSON AVILÉS: But it's-- okay. I
15 just-- my concern is that, you know, most of the
16 times the complaints that we're receiving at the
17 district offices are from people that have been, you
18 know,-- like the lady with the rat infestation, like
19 she had it for-- she had those rats in her apartment
20 for, you know, for quite a while, and it wasn't until
21 it was so many of them that she was, you know,
22 basically locked out of her own apartment that she
23 came to us. And you know, we had to intervene and
24 that was how we got emergency services out there.
25 That shouldn't have happened. So I think that, you

1 know, that level of education is super important,
2 especially when we're talking from-- you know, about
3 small children with asthma, right? What are those
4 triggers, right? Roaches are triggers. Mice feces
5 are triggers, dust. Alright? There are a lot of
6 things that contribute, so-- before you respond, and
7 I just want to notify that I'll be handing over the
8 role of Chair to Deputy Speaker Ayala in an interim
9 period. Thank you.

11 COUNCIL MEMBER AYALA: I was doing such a
12 good job that she was like, you know, you just take
13 it. Yes.

14 CHIEF GREENBURG: I was just going to
15 say, I mean, what Josey-- we do require resident
16 literature to be provided to everybody kind of when
17 we do an extermination ticket so there's a way we
18 check also to make sure people are providing that
19 resident literature to folks, because it is really
20 important that people know that, you know, even if we
21 treated it once, we want you to call us back if you
22 see any other signs of pests again, and just stay on
23 top of it. People should put in complaints. I tell
24 residents all the time, if you put in a complaint it
25 helps us also track whether or not we have

1 infestations happening on a particular hallway from
2 index unit that might not be your unit. It might be
3 the unit next to you. So I do encourage people put
4 in complaints, put in tickets. It help us, you know,
5 look at the data. We look at the data in more
6 sophisticated ways now to understand where an
7 infestation might be indexed and happening, and it's
8 really important that we get that live look and where
9 people see any level of an infestation. And even
10 when we go out and can just to an inspection to see
11 where we think it might be happening, you know, in a
12 hallway. It's really helpful. So, definitely put in
13 complaints. Put them in all the time. We're happy to
14 always go out and take a look and try to inspect it.

16 COUNCIL MEMBER AYALA: Alright.
17 Regarding the temporary boilers, do we know how many
18 boilers are still oil-burning?

19 CHIEF GREENBURG: Across-- just the
20 mobiles, or?

21 COUNCIL MEMBER AYALA: On mobiles.

22 CHIEF GREENBURG: Sure. So I think we
23 pulled that number down for you. I think we have 44
24 active mobile boilers in the Capital Projects
25 Division. All of them except for one are natural

1 gas, not oil burning. And then our Heating
2 Management team which tends to need to put the mobile
3 boilers in places for an emergency basis. I have 25
4 mobiles that are active right now. It obviously
5 changes day to day. Most of the-- all of those run
6 on oil. Some of them are dual fuel, but they all can
7 also run on oil. And that's because we're putting up
8 a mobile boiler at a site, in order to put-- hook up
9 to the gas. Usually there's a lot more advance
10 [inaudible] place. Sometimes we're doing that as
11 part of the big upgrade to the whole boiler program,
12 and we can sort of design out also the placement of
13 the mobiles and the installation of mobiles. So for
14 Capital Projects they can do that and make sure it's
15 going to kind of a more-- a natural gas powered
16 global when they site it. For our Heating
17 Management Services Department they're usually
18 putting in a mobile kind of on an emergency basis to
19 provide heat because of a failure of one of our very
20 old boilers, and it's much easier to site an oil-
21 fired boiler plan, but we obviously would like to
22 transition like we said in my testimony, we want to
23 transition the whole portfolio to cleaner sources of
24 energy. So Vlada talked about our heat pump
25

1
2 projects. A lot of the installations that we're
3 doing now of new boilers, new boiler plants. We're
4 doing geothermal. We're doing a lot of decoupling of
5 heat and hot water so that we can be more efficient,
6 and in general we're moving away from oil, oil
7 boilers.

8 COUNCIL MEMBER AYALA: And doe SNAP
9 generally get complaints about soot, you know, coming
10 into apartments from residents that are living within
11 close proximity to these sites, to these dummy [sic]
12 boilers?

13 CHIEF GREENBURG: My experience, my
14 personal experience, at least, the Metro North Plaza
15 one was pretty unique. We don't typically see a lot
16 of complaints about the installation of the mobile
17 and the soot that comes from the mobile. I know that
18 we did walk-- we did some testing and some other
19 items with neighboring property owner for Metro north
20 Plaza. It was running efficiently. We don't think
21 there was necessarily a lot of emissions happening
22 from that mobile, but that was a pretty unique
23 situation, but I don't think we usually see that with
24 the mobiles.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNCIL MEMBER AYALA: So was that the first time that you had ever heard of something like that?

CHIEF GREENBURG: We'll-- at least for me, personally, yes, but you know, I think we do try to be really thoughtful about where we sight the mobiles. So sometimes you'll see them. Like, I was at a property recently where it was in the street, but that means it was kind of pretty far away from the residential buildings. That's usually really important. Obviously, with a tighter campus it's sometimes more difficult.

COUNCIL MEMBER AYALA: Is there a requirement to keep the mobile units within a certain distance from a residential window?

CHIEF GREENBURG: Not that I know of. No, I mean obviously our goal is we need to provide heat and we need it do it fast.

COUNCIL MEMBER AYALA: Understood, I get it. I get-- I just don't want to die of a respiratory ailment because I was cold and needed to be heated as well. I think we can do both.

CHIEF GREENBURG: Yeah, and then our goal--

1
2 COUNCIL MEMBER AYALA: [interposing] I
3 think it's our responsibility that we're putting it
4 there, that we're at least-- yeah, I get the-- I
5 understand the reason why. What I'm getting at is,
6 you know, is-- does NYCHA even test, right, those--
7 the air quality in those apartments that in prox-- in
8 close proximity to the boiler units just to make
9 sure. Have you ever tested?

10 CHIEF GREENBURG: I know in that
11 situation we did do some testing. Typically what we
12 do is we do tune-ups of the mobile itself and we try
13 to see if we can run tests on the way the mobile
14 itself is operating and the emissions that are coming
15 off of that mobile boilers. So we're really focused
16 on the piece of equipment and make sure the
17 equipment's running efficiently. But our ultimate
18 goal obviously when we install a mobile is to not
19 have the mobile be there for that long and try to
20 restore the plan if we can.

21 COUNCIL MEMBER AYALA: I mean, that's
22 always the optimal goal, right? But at Metro North,
23 we've had that dummy boiler there for three-plus
24 years. At Paterson Houses, we had dummy boilers for,
25 you know, over five, six years. So, you know, I get

1
2 that our intentions, you know, are one thing but the
3 reality is something else. And I-- you know, it
4 concerns me that we're not proactively just, you
5 know, double checking and ensuring that the emissions
6 that, you know, is not traveling into somebody's
7 apartment and that people are now, you know, inhaling
8 something toxic. I think, you know, that we owe them
9 that much to ensure that, you know, we're protecting
10 them.

11 CHIEF GREENBURG: Yeah, absolutely,
12 Council Member.

13 COUNCIL MEMBER AYALA: So, is there a
14 plan to?

15 CHIEF GREENBURG: I think we'll-- I'll
16 touch base with our heating folks. I'm not the expert
17 on kind of that. We can-- we can definitely come
18 back to you.

19 COUNCIL MEMBER AYALA: I would appreciate
20 that. That will make me sleep better at night.

21 CHIEF GREENBURG: No, of course.

22 COUNCIL MEMBER AYALA: Alright, thank you
23 guys. I will turn it back over to Chair Avilés.

24 CHAIRPERSON AVILÉS: Thank you so much,
25 Deputy speaker, I appreciate the quick reprieve to

1 another hearing. And thank you all for your
2 patience. I think on the heels of that, I feel a
3 similar concern that I've seen in Red Hook is, you
4 know, we have lighting concerns because of all the
5 fencing on the development because of the
6 construction, and one of the remedies to that is to
7 run a diesel generator light all night long that is
8 directly below people's windows. Clearly, that also
9 emits very unhealthy things, and that's been the
10 solution for several years now. It's unacceptable,
11 unacceptable. And I guess, you know, part of the
12 question is I hope this is not the case in other
13 developments across New York City, but if it is, it
14 is not an acceptable solution when, you know, lights
15 can be made-- you know, electrified. We're not
16 talking about stadium lighting. We're talking about
17 being able to erect, you know, one or two posts. So
18 that's more of a comment rather than a question. Not
19 very good. But I'm going to take you back to some
20 fundamental questions for the record to make sure
21 that we're clear about certainly some of the
22 testimony, and I have some questions related
23 specifically to your testimony, but if you bear with
24 me, I'll kind of take a quick step back. And I'd
25

1
2 love to know is there an internal categorization and
3 tracking of complaints that implicates air quality?
4 Is there-- like, how does NYCHA categorize and manage
5 that?

6 CHIEF GREENBURG: Sure. So the most
7 typical complaints that we get from residents are
8 really about, you know, a physical condition in their
9 apartment that we know will impact air quality. So,
10 the most typical complaints that come into our system
11 that we have-- and I talked about in my testimony are
12 around mold and pests which we know are indoor
13 allergens and will impact people's respiratory
14 conditions. So that's the most typical way.

15 Obviously, a complaint that comes in for mold and for
16 pests are a really high priority for us under our
17 agreement with HUD. A mold complaint that comes in
18 automatically gets a mold parent [sic] inspection
19 work order we call it, and it requires a set of
20 objective measurements as part of the inspection. So
21 every time you do a mold parent [sic] inspection work
22 order you have to be specially trained by a third-
23 party trainer. You're using a set of tools,
24 objective tools to take measurements in the
25 apartment, including you take a moisture reading of a

1 wall, you take humidity readings. You're obligated
2 to take readings of the air flow so we know whether
3 or not there's solid airflow in the apartment. So
4 these are all things that has to take place as part
5 of a mold inspections. You're taking photo
6 documentation. There's lots of different folks who
7 are reviewing inspector's work product from the mold
8 inspections. Dan and his team review it. My team
9 reviews it. Independent mold analyst from the Baez
10 case, the Federal Monitor are all constantly
11 reviewing the mold inspections to take place, and
12 we're making sure people do it properly because the
13 remediation plan that comes off of that parent work
14 order is based on the objective reading. So if you
15 have an objective reading that shows the airflow is
16 not what it needs to be, it means that we need to go
17 back and clean the vent, go back and check the roof
18 fan and make sure the ventilation system is working
19 properly, make sure the window's operable, if it's a
20 window, a natural ventilation building. So there's
21 lots of things that we've built into our processes to
22 check air quality, and the same goes for pests. So,
23 we've now built into our handheld devices a set of
24 inspection questions for every extermination work
25

1
2 order. It require them to look at things like, you
3 know, you have to use a HEPA vacuum to vacuum up fras
4 [sic] and shells [sic] which are respiratory-- which
5 are a problem for respiratory standpoint. It
6 requires that they do things like exclusion work.
7 Other kind of innovative pest management principles
8 are checked off as they go through the process, and
9 these are all ways for us to make sure that we're
10 tracking-- we're track if they use any residuals, any
11 kind of sprays. These are all ways for us to track
12 both remotely and with in-person inspections whether
13 people are adhering to the new process we have at
14 NYCHA to address complaints that come in from
15 residents that impact air quality. So, that's kind
16 of-- that's a long answer to a very simple question,
17 but a lot of the complaints that come in are
18 obviously about a condition in someone's apartment
19 that we know can impact air quality, so we treat it
20 with a level of seriousness.

21 CHAIRPERSON AVILÉS: Are there other--
22 would there be other categorized complaints that
23 NYCHA would attribute air quality issues with as
24 well, besides mold and pests?
25

1
2 CHIEF GREENBURG: Obviously, those are
3 the two predominant ones. I mean, there are other
4 things that residents can put work orders in if they
5 call. If they, for example, have a concern about a
6 gas stove or a gas leak, they can put in a ticket for
7 that, but they're-- those are the predominant ones
8 related to air quality.

9 CHAIRPERSON AVILÉS: The dust and debris,
10 would that be categorized as--

11 CHIEF GREENBURG: [interposing] You can
12 put in a-- yeah, you can put in a work order for
13 debris, for sure, absolutely.

14 CHAIRPERSON AVILÉS: I guess what I'm
15 getting at is how directly NYCHA cross-categorizes
16 things, right? If it comes in a gas thing, is it
17 also tagged as an air quality issue?

18 CHIEF GREENBURG: I mean, obviously when
19 we respond our goal is to remediate the physical
20 condition that's being reported to us as a landlord.
21 So, often times the air quality issues flows from the
22 physical condition, and so we're going in there and
23 we do things that we think are the right approach of
24 an air quality standpoint, but really what we're
25

1
2 there to do is to fix the underlying issue that's our
3 goal.

4 CHAIRPERSON AVILÉS: Can you tell us how
5 many complaints you've received this past year?

6 CHIEF GREENBURG: In a particular area,
7 or? For mold?

8 CHAIRPERSON AVILÉS: You can go through
9 every--

10 CHIEF GREENBURG: [interposing] Okay.

11 CHAIRPERSON AVILÉS: area if you have
12 them, or you can start in total and then break those
13 down.

14 CHIEF GREENBURG: Okay, I'll do mold and
15 pests because like I said, those are the two that we
16 obviously take really seriously. So for mold in 2022
17 there were 9,920 verified mold complaints, which is
18 what we track with our Federal Monitor in the
19 Agreement. That's actually a really significant
20 reduction from 2021 when we received 15,016 verified
21 mold complaints. That's a 34 percent reduction. I
22 think a lot of that is because of the ventilation
23 program and the other investments we made in mold.
24 And then for a pests in 2022 we received 40,702
25 verified complaints across the public health pest

1
2 types, and that's also a -- that's a 15 percent
3 reduction from 2021, actually. In 2021, we received
4 47,799 verified pest complaints. So I think some of
5 our approaches that we rolled out in the last few
6 year are working to reduce the number of complaints,
7 but that's-- those are the numbers across mold and
8 pests. And Dan-- and Dan and Josey can talk in a lot
9 more detail about all the data we have on mold and
10 pests if you're interested.

11 CHAIRPERSON AVILÉS: Do we have similar
12 complaints around construction debris?

13 CHIEF GREENBURG: We didn't-- we didn't
14 bring that for you, but we can definitely try to pull
15 that for you after the hearing.

16 CHAIRPERSON AVILÉS: Do you hold
17 complaints around mobile boilers or any of the other
18 kind of not as targeted air quality, but certainly--

19 CHIEF GREENBURG: [interposing] I don't
20 know that we have a way of tagging specifically to a
21 mobile boiler in our work order system, but I can try
22 to find out.

23 CHAIRPERSON AVILÉS: In terms of-- can
24 you talk to us a little bit about what the training

1
2 looks like for NYCHA building management staff in
3 terms of air quality?

4 CHIEF GREENBURG: Dan, do you want to
5 take that about mold training?

6 SENIOR VICE PRESIDENT GREENE: Sure. So,
7 let me just pull out my notes here just for a second.
8 Just give me a second. I got a lot of stack of paper
9 here.

10 CHAIRPERSON AVILÉS: You got a lot. We'll
11 take it all.

12 SENIOR VICE PRESIDENT GREENE: Give me a
13 moment. Okay, so mold-- our Mold Busters program I
14 think is one of the best programs that we have at
15 NYCHA. It was-- it arose from a place of trouble
16 which is the Baez case, but I'm happy to report the
17 Baez cases had a real impact on NYCHA, and so one of
18 the impacts was creating the Mold Busters program.
19 So Mold Busters is a customized training program for
20 our property management staff and our skilled trades
21 of how they much conduct mold inspections, mold
22 remediation, and other work around mold in our
23 apartments. Every-- the training, as Brad mentioned,
24 is a third-party-- is provided by a third-party
25 entity, and it was designed in accordance with our

1 independent mold analyst which was appointed by the
2 court, and everything is based on our procedure
3 manual. I think the mold procedure manual at NYCHA is
4 one of the best procedure manuals that maybe has ever
5 existed at NYCHA, and it has-- it underwent
6 comprehensive drafting and also worked with experts
7 and plaintiffs to make sure that it was a sound
8 procedure. So right now we've trained-- so the
9 trained program for Mold Busters launched in December
10 2019, and we initially trained 2,870 staff on Mold
11 Busters. The training had a pause during COVID and
12 then restarted in September 2020, and since September
13 2020, we have trained 1,070 staff on remediation
14 methods, 196 new staff on inspections. Inspection is
15 one of the most if not the most important part of the
16 Mold Busters process that has to be done correctly
17 and has a lot of oversight to make sure it's done
18 correctly. We also have additional courses on
19 inspection such as Building Science where 183 staff
20 were trained; 429 staff were maintenance workers
21 received Building Science training as well.
22 Maintenance workers are kind of the first line of
23 defense for a lot of the mold issues. We've actually
24 started to have some of our maintenance workers
25

1
2 actually do the inspections. Prior to that it was
3 only property managers and superintendents and
4 assistant superintendents, but we're trying to
5 alleviate some of the staffing issues and get more
6 inspections done more quickly. Part of that is
7 getting maintenance workers better trained on those
8 methods as well. We have refresher courses. So
9 we've given the 430 staff refresher on inspector
10 courses, and we've given Mold Buster remediation
11 refresher training to over 2,500 employees. This is
12 an ongoing training program. It's provided to new
13 staff soon after they are hired to enroll them in the
14 Mold Buster training program. There are controls in
15 the system in Maximo [sic] to make sure that only
16 trained staff can be handling the inspection work
17 orders especially to make sure that those are being
18 done by the proper staff. In the early years of Mold
19 Busters, the inspections weren't being done properly.
20 Now I can say they're being done not only properly--
21 that was correct-- but also more frequently. We've
22 done a tremendous job over the past year reducing the
23 backlog of mold inspections. There was a backlog
24 about over 1,200 mold inspections earlier last year.
25 We're down to just 400 active ones around that right

1
2 now approximately that are all pretty new. We're
3 really trying to get those inspections done within
4 the required period of time or shortly thereafter
5 based on the residents' scheduling. So, that is the
6 Mold Busters training. I'm happy to answer any
7 questions about it.

8 CHAIRPERSON AVILÉS: Yeah, thank you. I'd
9 love to hear a little bit more about how NYCHA is
10 meeting the benchmarks set out in the HUD Agreement
11 around the mold Action Plan?

12 SENIOR VICE PRESIDENT GREENE: Sure. Let
13 me pull out another new page. So, I'm just going to,
14 you know, at the outset say if you look at the mold
15 metrics both in the HUD Agreement and in Baez, we're
16 not in compliance with the mold requirements. And I
17 can go through them one by one, but there is a
18 tremendous issues. all the-- a lot of the
19 requirements are based on time of response, and right
20 now our response time to complete the full work, the
21 full suite of the mold work is too long. We're
22 trying to take that in a comprehensive way by, I
23 said, like focusing on the inspections, making sure
24 that those are done timely. Focusing on mold
25 cleaning-- we-- as Mr. Greenburg mentioned, we did

1
2 Operation Mold Clean-Up. We had a backlog of 24,000
3 cleaning tickets last march. we have done 17,000 of
4 those and continue to work on that backlog every
5 single day to make sure the mold is being remediated
6 so that residents are not living with the hazard in
7 their apartment while they wait for other repairs.
8 So I'll get into the HUD metrics. I'll pull that
9 page out if you give me just one moment. Or Brad, if
10 you-- if you [inaudible] please go ahead.

11 CHIEF GREENBURG: Yeah. I mean, one
12 thing I'll say is the way the HUD Agreement is sort
13 of structured is you have recurrence metrics and then
14 you have timely respond metrics usually in the
15 agreement. On the recurrence front we do very well.
16 We actually do meet the HUD Agreement requirement
17 that we not have mold cases recur within a year in
18 most our cases. So, we do meet that benchmark which
19 is really important because like Dan said, you know,
20 our goal is to really bend the curve. So, as we kind
21 of do the inspections, as we kind of-- if we're doing
22 the remediation plan correctly, we want it not to
23 recur again, which means we're going to have fewer
24 complaints which is what we've seen overtime. So the

1 recurrence metric we meet. Time to respond metric,
2 that's where we really struggle.
3

4 CHAIRPERSON AVILÉS: Say that-- say that
5 one more time. I'm sorry, I missed it.

6 CHIEF GREENBURG: So, sorry. So there's
7 like a-- the way the Agreement is structured is you
8 have-- you tend to have in operational areas both the
9 recurrence metric and our time to respond metric.

10 CHAIRPERSON AVILÉS: Timely response.

11 CHIEF GREENBURG: So, on the recurrence
12 side, we do very well with mold now. We don't have
13 cases recurring within a year of completion which is
14 really important because that helps us bend the curve
15 from the number of complaints. For the time to
16 complete metrics, we don't-- there's a set of them.
17 one of them is to do inspections within a certain
18 amount of time, which we do-- are doing much better
19 at since Dan has been pushing inspections so well on
20 the operational side. We still don't hit the metric,
21 but we're doing better to get our inspections done
22 within five business days. We also have to respond
23 to whether it's a simple or complex repair within
24 seven or 15 days. You have to complete all the work,
25 and that's where we tend to really struggle because

1
2 we have to sequence lots of trades, and the mold
3 remediation plan can be quite extensive. We can't
4 always get into the-- all the work done.

5 CHAIRPERSON AVILÉS: And is this an area
6 where additional resources would make a difference?

7 SENIOR VICE PRESIDENT GREENE: So, one of
8 the things that we've tried to do over the past year
9 in the Baez case, if you set everything based of the
10 HUD Agreement metrics and the Baez like baseline,
11 baseline performance metrics. It's hard to tell
12 who's doing good and who's doing bad, because the
13 numbers were all pretty bad. So what we've done over
14 the past year is work without independent data
15 analyst to develop a way to become more efficient and
16 to focus on those developments where we really see a
17 failure of the Baez requirements of working well
18 where there's large backlogs disproportionate to
19 other developments where there's outstanding
20 inspections. So what we've done is develop the Mold
21 and Leak Scorecard with our independent data
22 analysts. It looks at 11 very practical factors
23 including resident satisfaction at that development
24 based on surveys that are done after the work order
25 is completed to see how developments are scoring.

1 From that we've been able to track trends. The Score
2 Card has been up and running and also we've educated
3 staff on how to use it. We've been able to see
4 trends here we need to deploy resources and
5 additional effort at those properties and additional
6 oversight to start to work at the ones who are
7 performing the worst. And that hopefully by
8 improving conditions at those developments, you will
9 hopefully start to see more of a trend towards better
10 performance overall, because we have certain
11 developments that are really bringing down our
12 overall numbers. And also, the residents at those
13 developments are facing perpetual issues with mold
14 and leaks. So I think the resource question,
15 resources had been added to the Work Order Reform
16 Initiative. Now we need to deploy them more
17 intelligently. Also, I think that the other pieces
18 that is really important, we will be working with the
19 Federal Monitor. We will be releasing a report also
20 for Congressman Torres later this spring that looks
21 at where do we go now on Baez. We've made a lot of
22 improvements. We've seen improvements, but we still
23 see lagging behind, and we need to find ways to look
24 into the backlog that exists and target work orders
25

1
2 that are really a high value, plumbing tickets,
3 tickets for tub enclosures in bathrooms where we can
4 really have an impact hopefully on where work is
5 lagging, because a lot of the backlog also is like
6 things like paint work orders. That's the last step,
7 and it's-- it's important but it's not like critical
8 to addressing the health condition. So I think the
9 question is we have added more resources, and we want
10 to make sure that we're using them more intelligently
11 than we have in the past, more efficiently so that we
12 can try to get at some of these endemic problems with
13 mold or leaks.

14 CHAIRPERSON AVILÉS: I appreciate that.

15 And obviously we want you to use the resources as
16 intelligently and efficiently as possible.
17 Nevertheless, it sounds like if the response times
18 continue to be way too long, we haven't been able to
19 fully address the backlog, right? There's still--
20 it's not efficiency per say, right? I mean, can you--
21 - where can you squeeze out efficiencies where there
22 are insufficient workers to do the work or money to
23 pay the workers to do the work or money to pay the
24 workers to do that work. I'm having a little
25

1
2 challenge understanding how this is an efficiency
3 problem and not a capital one.

4 CHIEF GREENBURG: Yeah, I mean, I think
5 it's definitely both. I mean, like I said in my
6 testimony there are physical conditions that we face
7 in NYCHA properties that make the apartments moist or
8 damp or have chronic leaks that lead to the mold, and
9 at some point it does become more difficult to patch
10 those problems and kind of go along day to day with
11 the existing level of resourcing. I think like Dan
12 said, there are things we can do better still on the
13 operational front with the staff we do have.

14 Obviously, there is a moment in time happening now
15 with some of the plumbing systems, some of the roofs,
16 some of the facades in buildings that are 80 years
17 old, 70s years old, and have not been rehabilitated
18 where, you know, we've worked with our independent
19 mold analysts to study what is the correct response
20 to that. You know, are there ways for you to try to
21 improve the plumbing system in the short-term? Are
22 there things that we need to look at from a more
23 comprehensive standpoint? And so it's a challenge.
24 There's no doubt about it. It's not just an
25 efficiency standpoint, it's also a capital issue.

1
2 CHAIRPERSON AVILÉS: Can I ask in terms
3 of what is the current number of open mold requests?
4 I think you mentioned it, but I may have missed it.

5 SENIOR VICE PRESIDENT GREENE: Yeah, so
6 for mold alone there's around 14,000 parent work
7 orders, but that equates to about 29,000 child work
8 orders, because the parent-- basically the way that
9 mold works is, the parent is the inspection. When
10 that inspection is performed, it creates a series of
11 child work orders. So just in raw numbers, if you
12 just-- yeah, I know, it's very nice terms. But
13 currently speaking if you looked at all the open mold
14 work orders, there's really about-- when you include
15 quality assurance inspections, and all the-- when you
16 got to go all in, it's about 35,864 work orders that
17 are out of the Mold Busters program. That affects
18 16,294 apartments. Just to break it down. Because
19 mold has a lot of complexities to it and how the work
20 orders are constructed.

21 CHAIRPERSON AVILÉS: Okay.

22 SENIOR VICE PRESIDENT GREENE: And that
23 does not include leaks. That is just mold.

24 CHAIRPERSON AVILÉS: That is just-- that
25 is just mold. And so in terms of-- so what is the

1
2 current average number of days that-- before
3 remediation takes place?

4 SENIOR VICE PRESIDENT GREENE: So, to
5 close the parent work order, the current time to
6 complete based on our quarter 36 report which will be
7 released to the court is about 290 days to close all
8 the work orders. It does not mean no work has been
9 done in the unit. Certain work has been done to
10 assess the unit, to do some of the maintenance work
11 related to it, caulking, maybe just cleaning out the
12 vent, but the full scope of the work has not been
13 completed, and that is the current-- that is the
14 current time.

15 CHAIRPERSON AVILÉS: So, just, if you
16 bear with me. I'm a resident. I call you. I see
17 mold all over the place. Walk me through exactly
18 what happens or what's supposed to happen?

19 SENIOR VICE PRESIDENT GREENE: Sure, and
20 there's some important points here actually that's
21 important to get out. So you call. In an ideal
22 world a superintendent or another senior staff person
23 who has Mold Buster--

24 CHAIRPERSON AVILÉS: [interposing] Is the
25 ideal or the protocol?

1
2 SENIOR VICE PRESIDENT GREENE: This is
3 the protocol and what happens a lot of times, you
4 know? So--

5 CHAIRPERSON AVILÉS: [interposing] This
6 is important. the reason why I say that is it's
7 important for residents to hear what the protocol and
8 the level of service that they should be expecting,
9 because as you have witnessed, often what is the
10 protocol and what is the reality are far few in
11 between. So, I'd love for you to talk through what
12 the protocol is.

13 SENIOR VICE PRESIDENT GREENE: Yeah. So,
14 step one, resident calls the CCC. They report a mold
15 condition in their apartment. Step two, a
16 superintendent mainly who's received Mold Busters
17 training will go to the apartments. The
18 superintendent will bring equipment with them, him or
19 her, to the apartment. They will bring a moisture
20 meter. They will bring an anemometer which measures
21 the air flow, and then we'll bring a hydrometer that
22 measures humidity. It will take that in their
23 handheld, go to the apartment. They're supposed to
24 be a parent inspection for every individual room to
25 increase tracking. Our staff rally love that. But

1 basically they have-- they have to do the inspection
2 per the protocol. They take wet measurements on the
3 walls, ceilings and floors if necessary to try to
4 identify any source of moisture that could be from a
5 leak. It could be from condensation from piping. It
6 could be due to humidity in the unit, the windows not
7 being opened. It could be from the mechanical
8 ventilation not working properly. They measure the--
9 if there is a mechanical vent, meaning a roof fan,
10 there's not that in every NYCHA apartment, but there
11 is. They will measure the air flow to make sure that
12 it's at 25 feet cubic feet per minute or CFMs to make
13 sure that it's adequate. And then they will also
14 take the humidity reading in the apartment. They
15 plug all this information into the work order. Most
16 importantly, they also look for mold, and they've
17 been trained to identify mold. And I know that that--
18 - before Baez changes came into effect, what as mold
19 was kind of a debate at NYCHA, but it no longer is.
20 We have about-- I want to say roughly-- I have it
21 here in my papers, but I'm not going to go through.
22 But over 70 percent found, right? It even might be
23 higher than that. We have that number of where
24 they're finding it. They're actually saying yes,

1
2 there's mold. It's a founded condition. So it's
3 much higher than it used to be, and we can monitor
4 that remotely of who's saying found [sic] or not
5 [sic]. So they do that and then they create their
6 child work orders. So, if they see-- if they see
7 mold, that will create a mold cleaning remediation
8 ticket. Depending upon the square footage of the
9 mold, which is one of the factors they have to
10 document in the handheld. That will either go to a
11 caretaker x who's been trained if it's a small amount
12 of mold. Generally, it's either 10 square feet or 20
13 square feet depending upon the development that
14 you're in, or if it's above that threshold but under
15 100 it goes to a trained NYCHA painter, and if it's
16 above 100 it goes to a lead abatement worker who
17 actually reports to me.

18 CHAIRPERSON AVILÉS: So it gets triaged
19 based on what the observation is.

20 SENIOR VICE PRESIDENT GREENE: For the
21 square footage, correct. Then there's also-- if
22 there's a leak, a plumbing ticket will need to be
23 created so that there is-- there is basically an
24 investigation of that leak, and also maintenance
25 workers might need to trace that leak to other

1
2 apartments such as above. If there's a problem with
3 the tub enclosure, which is I think a very common
4 problem and one of my pet peeves, that's coming off
5 the wall and the water is getting behind it, they
6 will create a work order for a tub enclosure which
7 goes to a carpenter. So there's a variety of work
8 orders that will be addressed. If it's a simple case,
9 it'll be a couple, one for a caretaker x, maybe for a
10 maintenance worker, but if it's complex it's going to
11 go to a painter. It's going to go to a plumber or
12 it's going to go to a carpenter, and potentially all
13 the trades could have some role and also a plasterer.
14 The other thing they have to look for is water
15 damage. That's the other critical criteria that will
16 trigger child work orders. So that's an important
17 consideration. If you get a wet reading above 599,
18 that's going to trigger child work orders if-- on
19 your moisture reader. If you see visible mold, that
20 will trigger child work orders to address the mold
21 condition. And if you see water damage, that's the
22 third factor and one that we really try to emphasize
23 with staff that's sometimes under-reported, but water
24 damage from a prior leak, that also has to be
25 reported, and that will be generally plastering work,

1 perhaps maybe sheetrock work as well depending upon
2 the type of development. That process, the work
3 orders get created and then they go to the planning
4 unit to schedule them, hopefully in a sequence that
5 makes sense. One thing that we try to emphasize,
6 though, now, and this comes out of the HUD agreement
7 which has a specific provision on this, we want to
8 get the mold cleaned as close as possible to five
9 days. That does-- that we're not close to coming
10 into compliance with that number, but that is the--
11 that was the intent of Operation Mold Clean-up, is
12 that we saw a huge backlog of actual cleaning
13 tickets. When we clean the mold, it has to be done
14 with special cleaning that's been selected by our--
15 cleaning detergents that have been selected by our
16 independent mold analysts, and they've identified
17 those are actually specified in the procedures of
18 exactly what the developments have to buy, and then
19 they want to also see the mold-resistant paint
20 applied quickly after the cleaning because that will
21 prevent the colony from reforming. So that's what
22 our IMA has really recommended. That has not been
23 happening, but what we're trying to do is turn the
24 process right now. We're trying to get a lot of
25

1
2 those cleaning tickets out of the system, and then we
3 can focus on also the root cause to repair. Doesn't
4 mean we're going to stop-- we're stopping to work on
5 any of those. That has just been my office's role
6 this year is to really try to prioritize where
7 there's been failures. So the trade will respond.
8 They will go in there. They will close out the
9 tickets on their devices, on their handhelds, or
10 they'll-- they can also work off of a paper work
11 order potentially. The work orders get closed. When
12 all of the child work orders get closed-- it could be
13 a couple, it could be a lot-- that means the parent
14 ticket will close, and that was that 14,000 number.
15 That's the parent ticket.

16 CHAIRPERSON AVILÉS: Right.

17 SENIOR VICE PRESIDENT GREENE: When the
18 parent tickets close, it generates a QA inspection.
19 So every-- after the child ticket is closed, it
20 generates a Quality Assurance inspection. The
21 Quality Assurance inspection from Mold Busters is
22 performed by development staff, and they will go back
23 into the apartment and they will basically repeat the
24 same process again. They will see if there's visible
25 mold. They will see if there's any wet reading.

1
2 They will see if anything has returned. If they do
3 see that return, they will create what is known as a
4 re-inspection ticket which will basically be
5 additional trade work to be performed in the-- it
6 basically restarts the process. So,-- oh sorry, I'll
7 pause.

8 CHAIRPERSON AVILÉS: Can I just-- no, no,
9 thank you. Thank you so much. This-- in terms of--
10 so the QA only happens-- the QA inspection only
11 happens after the parent ticket is closed?

12 SENIOR VICE PRESIDENT GREENE: That's--
13 yes.

14 CHAIRPERSON AVILÉS: Okay.

15 SENIOR VICE PRESIDENT GREENE: That's how
16 it's supposed to be, yep.

17 CHAIRPERSON AVILÉS: For how-- for
18 development, development staff is a very broad topic,
19 a very broad categorization, or do you mean the
20 supers, or?

21 SENIOR VICE PRESIDENT GREENE: It's the
22 superintendent, assistant superintendent. Hopefully,
23 it should be a staff person who did not conduct the
24 initial inspection, but I can't say that's happening
25 given staffing limitations.

CHAIRPERSON AVILÉS: Okay.

SENIOR VICE PRESIDENT GREENE: Somebody ha-- somebody with the training has to go into the unit, and I think we sent the message. You know, I was formerly in compliance. I'm now the SVP for Healthy Homes, that it's really important not to fudge the numbers on mold or to fudge your inspections. So you have to go back there, and they do create a pretty significant number of re-inspection tickets that where they see that the mold has either returned or the leak has returned and additional work has to be done in those apartments, and that's all tracked. We have very good tracking on mold. Based on this stack of papers, maybe too much tracking, but we have a lot. But the key-- the other key party here to mention on mold is the OCC or the Ombudsperson Call Center. The Ombudsperson Call Center is available to all NYCHA residents. It was created by the Federal Court in the Baez case. It is-- there-- the independent ombudsperson is Caesar Decastro [sp?]. He is an attorney, and he oversees a team that is staffed by the independent data analyst, so it's separate from NYCHA. And any resident who is waiting too long for an inspection, waiting beyond

1 that period of time when their work is supposed to be
2 done can call the OCC. They will open a ticket, and
3 then they basically send that to my team where we
4 have case managers that work to basically unstick
5 cases that get stuck either because of a missed
6 appointments or because of misunderstanding about
7 what the condition is that needs to be fixed. So
8 they've actually resolved 15,000 cases. And the OCC
9 contact number-- you can go on the web-- you can go
10 on the web and just google them, but we try to
11 promote them wherever we go, because we've been
12 really-- they've been an incremental-- instrumental
13 part, excuse me, of how we deal with mold to make
14 sure that the urgent cases are being addressed and
15 they improve our performance. So the number for the
16 OCC is 1-888-341-7152. They have live call agents
17 Monday through Friday 9:00 to 5:00, and you only want
18 to call the OCC after you've called NYCHA and created
19 your tickets, but they will follow up where NYCHA is
20 not meeting its objectives, and they will-- they have
21 very empathetic, well-trained staff that will then
22 create OCC cases to monitor individual apartments and
23 make sure the work gets done, and their final step is
24 resident satisfaction. If the resident is not
25

1
2 satisfied for reasonable purposes, they will require
3 NYCHA to keep it open and they will make us do
4 additional work in those apartments to satisfy the
5 resident. So it's been an instrumental part of how
6 we're dealing with mold. It's a standard that we're
7 trying to aspire to, and I think it's going to drive
8 the change that we need to really tackle this.

9 CHAIRPERSON AVILÉS: So, clearly you've
10 made enormous amounts of progress without question,
11 and yes, there is enormous amount of work to be done.
12 What is holding NYCHA back from integrating this
13 function of resident satisfaction being the place we
14 are, and/or resolving these tickets in a timely
15 manner without needing an additional layer over
16 oversight?

17 SENIOR VICE PRESIDENT GREENE: I don't--
18 I think that the-- so some of the lessons by the OCC
19 are being listened to by other teams. So I think
20 it's-- definitely think it's something that's having
21 an influence on other parts of the agency.
22 Certainly, I also oversee the lead program, and as we
23 start to do our abatement program where we're moving
24 residents to hotels while we conduct the abatement in
25 their apartment, which is also a change that we've

1
2 done to improve health and safety protocols during
3 environmentally-sensitive work. We've noticed there
4 that some of the residents have not been fully
5 satisfied with the experience. Maybe we're late with
6 doing the abatement and they have some problems with
7 the return to unit process. We're actually going to
8 meet, making sure that we work with the OCC because
9 they are very good with making sure that resident
10 satisfaction is really understood, and that is like
11 sort of the final step of the process. I think the
12 Pest Department is working towards similar protocols
13 to make sure that they are also-- and I'll let Josey
14 speak to how some of their-- what they're doing.

15 CHIEF GREENBURG: Compliance also now has
16 a resident satisfaction survey. So every complaint
17 that comes through our department is only closed once
18 they pass a resident satisfaction survey, which is a
19 very simple are you satisfied or are you not.

20 CHAIRPERSON AVILÉS: So, I appreciate
21 that. But I'm still left with a question, why. Why
22 does NYCHA need the OCC to do the work it's supposed
23 to do?

24 SENIOR VICE PRESIDENT GREENE: Because we
25 weren't doing it properly, and we still need day-to-

1 day oversight. I mean, NYCHA is working through a
2 process where it is improving its operations. I
3 think NYCHA has learned tremendous amount, but this
4 is a big complex agency with big complex problems.
5 So, I think that we are learning, you know, learning
6 from working with entities like the OCC, and that
7 will improve our operations overall in other areas,
8 and I think we can provide examples of that. But
9 that is kind of the standard of where we are right
10 now, and we're actually working with the OCC to
11 expand some of their outreach where one of the things
12 we've worked with them over the past year as they
13 were doing proactive call-outs. If you have a ticket
14 older than 400 days old that's a leak, we want them
15 reaching out to those residents to try to see if they
16 need an OCC assistance. They're also identifying
17 using our data sources which refer-- again, mold and
18 leak is very strong. Identifying clusters of leaks
19 where a particular line might have a very big problem
20 on the line, but it's not being reported or seen,
21 because they're at the ground level, but they're
22 looking at it from a bird's eye view, they will reach
23 out to those residents, and again, open up tickets if
24 they are struggling with a line-wide failure, a line-

1
2 wide leak that is a problem. So I think we're
3 actually trying to expand these efforts because it
4 pushes us to better performance.

5 CHAIRPERSON AVILÉS: I-- honestly, I
6 would say that my 50 colleagues across the city who
7 have NYCHA developments are also spending an enormous
8 amount of time kicking NYCHA in the pants around the
9 things they're supposed to be doing for residents or
10 why work orders, or anything for that matter, is
11 taking absurdly long. In terms of-- can you-- is
12 there any prioritization in the process for residents
13 with respiratory issues? Is that at all flagged and
14 considered on how elements are tracked?

15 SENIOR DIRECTOR BARTLETT: Sure I can
16 talk about our pest-sensitive work orders. So, any
17 apartment that has identified that they're using a
18 life-sustaining device on their annual review.
19 They've had a model mildew reasonable accommodation.
20 They've had a DOHMD code violation, or they just
21 mention it to the CCC when they're putting in a pest
22 work order. So they call and they say I have mice,
23 my child has asthma. The representative can check
24 the pest-sensitive button. This automatically bumps
25 you up in priority. So most of our pest complaints

1
2 are a level four, get that-- get to it within seven
3 working days, but if you're pest-sensitive the goal
4 is to meet it within 48 hours.

5 CHAIRPERSON AVILÉS: And is there
6 something similar for mold as well?

7 SENIOR VICE PRESIDENT GREENE: Yes, one
8 of the things we track is reasonable accommodation
9 requests related to mold which is a frequent basis
10 for reasonable accommodations and that helps
11 prioritize work. OCC can also prioritize tickets
12 based on resident sensitivity to mold. We also have
13 the ability to take on complex cases with
14 contractors, and we relocate residents if they are
15 experiencing a health effect because of mold, and
16 then we can do the remediation when they're
17 relocated. So there is ways that we also do that for
18 mold.

19 CHAIRPERSON AVILÉS: Got it. And in
20 terms of the contractors that y'all utilize,
21 obviously there are different sets of contractors
22 that you use. Can you talk to me about how many
23 contractors does your unit actually utilize?

24 SENIOR VICE PRESIDENT GREENE: Right now
25 we're predominantly using Jach's [sp?] contracting

1 which is line item contracting where you have
2 basically a pre-defined pricing for certain types of
3 work, and we work with our Jach's contractor
4 primarily, but we do have other options. I think
5 it's about three or four other contractors that have
6 mold remediation licenses that we can use, but we
7 reserve those contracts that we oversee for really
8 highly complex repairs, either in apartments or also
9 in community centers that have also had serious leaks
10 and mold issues. So we do use the contractors for
11 that work as well, and we have a very tight overnight
12 with our team over that work. We also did the
13 oversight of the roof fan contract where we were
14 pleased to see-- given the efforts-- and I don't want
15 to take credit because that started before me, and
16 the team at Omar [sic] did an amazing job. Just
17 underwent like a nine-month comptroller audit for how
18 they managed that contract and the oversight that was
19 done for the ventilation project, and again, for a
20 comptroller audit-- I don't want to speak for the
21 comptroller-- but I thought that they found strong
22 controls over contractor oversight for that
23 initiative and we apply similar methodologies for
24
25

1
2 what we do for our mold contracts that we use for
3 complex jobs.

4 CHAIRPERSON AVILÉS: Alright. And for
5 pests, you guys--

6 SENIOR DIRECTOR BARTLETT: For Pest
7 Management Department we use three different vendors,
8 primarily, but that's not the vendors that the
9 contractors use, but our department directly works
10 with three different vendors.

11 CHAIRPERSON AVILÉS: And I guess, how do
12 you both manage subcontracting and quality assurance
13 around a contractor who's subcontracting, or is that
14 prohibited in the contracts for your units?

15 CHIEF GREENBURG: Well, Josey can talk
16 about the [inaudible] exterminators do on the vendors
17 for pests, but we also have a Quality Assurance
18 Department and Environmental Safety Department who do
19 routine inspections of jobs whether they're done by a
20 vendor or by NYCHA staff, and the Quality Assurance
21 Department does a lot of looks at the vendor work
22 [inaudible] very often for exterminators, too. So we
23 have lots of layers of control even outside of these
24 two units themselves to see what people's works look
25 like and whether they're doing it properly. But

1
2 Josey, you want to talk about kind of how you check
3 vendor work?

4 SENIOR DIRECTOR BARTLETT: Is that the
5 question or is subcontractor, like if our--

6 CHAIRPERSON AVILÉS: [interposing] So,
7 your-- of the three--

8 SENIOR DIRECTOR BARTLETT: [interposing]
9 Yeah.

10 CHAIRPERSON AVILÉS: if any one of them
11 uses a subcontractor to do any portion of that
12 contract, how is NYCHA overseeing that and ensuring
13 that it has appropriate quality assurance?

14 SENIOR DIRECTOR BARTLETT: Sure. They're
15 not, but they could.

16 CHAIRPERSON AVILÉS: Okay.

17 SENIOR DIRECTOR BARTLETT: We would know.
18 We have 10 people in our unit that all they do is
19 oversee their-- well, 10 supervisors of
20 exterminators, two superintendents, and their whole
21 job is making sure that this vendor work is done
22 correctly. They're out in the field with the
23 vendors. The SOE's actually are-- their aim is to be
24 in about 80 percent of the work actually watching the
25 work being done and making sure they have-- they put

1
2 their notes, their photos of the work on the work
3 order so we're able to make sure that okay, this work
4 was being overseen directly by NYCHA staff.

5 CHAIRPERSON AVILÉS: Got it. Thank you.
6 In terms of-- can you tell us how m any employees the
7 Environmental Health and Safety Department has?

8 CHIEF GREENBURG: Sure. So,
9 environmental Health and Safety Department has I
10 believe it's 48 active employees. I think they're
11 budgeted for 51 employees, and they have-- you know,
12 it's a -- I guess a relatively small but mighty team.
13 They have an Environmental Health and Safety Officer.
14 They have a director and then they have three units.
15 They have an Employee Safety Unit, Environmental
16 Hazards Unit, and a Building Systems Unit. And under
17 the Environmental Hazards Unit they have teams who
18 are dedicated to indoor air quality which is mostly
19 mold and asbestos. They also have a team that does--
20 our lead oversight team which looks at all lead-
21 related workflows. They also have a team that does
22 IPM oversight, so Integrated Pest Management
23 oversight. The Building Systems Team has an elevator
24 oversight team and a heat oversight team. So they
25 really have specializations within those teams so

1
2 they can go out and see how the operational folks are
3 doing, you know, across the portfolio. And they also
4 have staff augments from other places too that they
5 bring in for very specialized types of inspections
6 and testing.

7 CHAIRPERSON AVILÉS: So, the Health and
8 Safety Department is over--

9 CHIEF GREENBURG: They report directly to
10 the Chair, sort of the CEO now. The Environmental
11 Health and Safety Officer reports to the CEO and it's
12 a requirement of the agreement with HUD.

13 CHAIRPERSON AVILÉS: I'd love to see an
14 organizational chart for this along with like the
15 distribution of staff members and levels. That would
16 be very helpful.

17 CHIEF GREENBURG: Yeah, of course, we can
18 get that to you.

19 CHAIRPERSON AVILÉS: In terms of-- have
20 there been reports or recommendations that this team
21 has put forward?

22 CHIEF GREENBURG: Yes. I mean, Dan and
23 Joy and Josey and myself get lots of recommendations
24 from this team. They're really excellent. They do--
25 there are some that they do as a requirement of the

1 HUD Agreement, so they do a root cause failure
2 analysis for every hating outage that goes over 12
3 hours where they kind of back-track and figure out
4 what went wrong, because for us, that's a failure to
5 go over 12 hours. They also do-- you know, they take
6 samples of different kinds of workflows. So, like I
7 said, they have an IPM oversight team that goes kind
8 of after extermination has taken place or during in
9 the middle of it, and they go and see how folks are
10 doing. They do it on the lead front as well. We
11 get-- I get escalation reports from them if there are
12 particular employees or particular issues that happen
13 that require disciplinary action. We also get a
14 quarterly report from them, all of us each quarter
15 that gives a set of a recommendations for kind of
16 business process changes or other changes we need to
17 make as an organization, and then they track those
18 each quarter thereafter. So we get tracked against
19 our implementation of those recommendations, and it's
20 a really good process that I think holds individuals
21 accountable if they see something directly happening
22 with that individual, but also you know, operational
23 units accountable to figuring out how to improve a
24 business process or another way of tracking or-- and
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I'm sure Dan and Josey and Joy could talk through what they've gotten, but it's a good system of tracking recommendations.

CHAIRPERSON AVILÉS: Forgive the question, I feel like it's silly because I'm not sure I fully understand the organizational chart here. But how many of those-- how many of those team members actually interface with NYCHA residents?

CHIEF GREENBURG: From the Environmental Health and Safety Team?

CHAIRPERSON AVILÉS: Yeah, maybe--

CHIEF GREENBURG: [interposing] They're--

CHAIRPERSON AVILÉS: it's like a percentage. I don't need an exact number. I'm trying to understand--

CHIEF GREENBURG: [interposing] Yeah, I mean, they're in the field--

CHAIRPERSON AVILÉS: how far in the organizational chart are they? Do they interface with actual residents or not is really what I'm--

CHIEF GREENBURG: [interposing] They're in the field every-- all the time, every day. That's kind of like their role. So, obviously, some of them if you're working on like heating oversight team,

1
2 you're mostly in the boiler plants and the tank room,
3 so maybe you're not seeing residents in those spaces,
4 but they do go into units sometimes if there are
5 units that have a heat failure. So I would say the
6 vast majority of them are def-- they're all in the
7 field all the time. They should be interacting with
8 residents, and you know, for Dan and Josey's teams,
9 they're definitely in units. Sometimes we've
10 obviously relocated a resident as part of the lead
11 abatement jobs, and the resident is not in the unit
12 when the EHNS person is there.

13 CHAIRPERSON AVILÉS: Sure, sure.

14 CHIEF GREENBURG: But they're-- they're
15 actively in units all the time. And the fire-- we
16 also have a Fire Safety team on that HNS Department
17 which is also in the field every day.

18 CHAIRPERSON AVILÉS: Right. And so it's
19 50/50 folks. Let's say it's staff to fully staffed,
20 50 folks for the 355 developments citywide.

21 CHIEF GREENBURG: Yeah, that's right.
22 And some obviously staff augment vendors that we use
23 for special types of inspections.

24 CHAIRPERSON AVILÉS: Sure, sure. Got it.
25 Can I ask a-- I'm going to switch to mold very

1
2 quickly, I realize. What's the mold complaint
3 inspection and follow-up process for residents living
4 in RAD/PACT?

5 SENIOR DIRECTOR BARTLETT: So, I'm going
6 to refer this over to Brad, but I will say that last
7 year we negotiated a settlement agreement to have the
8 PACT developments covered by the Baez Consent Decree.
9 So that was a major shift, and I'll let Brad explain
10 the changes that happened as a result of that.

11 CHIEF GREENBURG: Yeah, so there's a
12 number of changes that I think have been super
13 positive for the PACT program, especially with
14 respect to mold and leaks. There's a-- first of all,
15 they have to produce an operations and maintenance
16 plan for mold prior to closing that we have to
17 approve along with an independent mold analyst
18 specialized in the PACT program, is assigned to the
19 PACT program who reports out and reviews those plans.
20 We make sure that they have basically a procedure
21 that's similar to the procedure we have on the public
22 housing side that we think is a model. We also then,
23 you know, after closing, my team takes every single
24 work order that was open at the time of closing in
25 mold and leaks, and we track them one-by-one until

1 the resident is satisfied and make sure that they're
2 closed by the new PACT developer, which they're doing
3 right now at a site that closed earlier in January.
4 And we track each complaint. We require pictures. We
5 require phone calls to residents to make sure they're
6 satisfied. We also have regular reporting that has
7 to take place from the PACT developer to NYCHA that
8 reports out on all of the open mold and leak
9 complaints that were opened and what was closed,
10 whether they were closed within 30 days which is the
11 time frame required under that settlement agreement.
12 If they exceed 30 days, then they come to my team in
13 the Compliance Department and we take each of those
14 ones in excess of 30 days for mold and leaks, and we
15 call the resident, call the developer, see if we can
16 kind of unstick the process like Dan spoke about the
17 OCC. And we either accept the developer's
18 explanation or we don't, and if we don't, sometimes
19 we do-- like I've done field visits to see, you know,
20 what's the problem here, and we kind of hold their
21 feet to the fire to make them complete the work, and
22 we work with the OCC on that as well. And then
23 [inaudible] some elements of the oversight process.
24 We also have an independent mold analyst for the PACT
25

1
2 program who goes out and reviews the work of PACT
3 developers in response to mold and leak tickets, and
4 they report out on whether people are complying with
5 their ONM plan. So we think-- you know, we've built
6 a lot in the last year and a half for so around
7 making sure that we have adequate oversight of the
8 PACT sites with respect to mold and leaks.

9 CHAIRPERSON AVILÉS: Do you know how man
10 complaints you've received from PACT sites on mold
11 and pests?

12 CHIEF GREENBURG: I don't know how many
13 complaints we've received. We can get that to you. I
14 know how many requests we get that we have to
15 investigate.

16 CHAIRPERSON AVILÉS: Okay.

17 CHIEF GREENBURG: It's usually-- when a--
18 when one of the PACT sections first closes we usually
19 have a lot, because it's very difficult to keep up
20 with the demand of the mold and leaks without the
21 capital repairs. So you know, the most we've had has
22 been across the PACT portfolio which is smaller.
23 We've had 16 I think at the most that go over 30
24 days. In the last month we had two. So, as the
25 construction progressed in the last round of

1 closings, we've seen the number of complaints
2 exceeding 30 days go way down.

3
4 CHAIRPERSON AVILÉS: Got it. Thank you
5 for that. Yeah. I'll move on from there. I guess
6 we'll segue really quickly again to pest management.
7 Certainly, thanks to your team who came up to Red
8 Hook where there were clear infestations, where some
9 of the staff was like, "Wow, this needs to get
10 treated every two days not once every several
11 months." And yes, I mean, what-- what that visit
12 illuminated was an enormous amount of work still
13 needs to get done with coordination of construction
14 and the pest management teams. And there was a
15 representative from construction there who could
16 help, but nevertheless, there was still like-- was
17 that you? Is that me? I was like, there's no fence
18 here. So why are we asking this question? What do
19 we need to do make sure that it gets done? Can you
20 tell us what are some of the proactive pest
21 management strategies that NYCHA is using to control
22 and prevent infestation?

23 SENIOR DIRECTOR BARTLETT: Yeah, sure.
24 So, proactively, I mean, the mold inspections, if we
25 go in there's any signs of roaches or mice,

1
2 extermination work orders are created. Maintenance
3 assessments, if they see any signs of pests,
4 extermination work orders are created. The levels of
5 infestation when an exterminator goes creates
6 adjacent work orders so that we go and check the
7 adjacent units. We have grounds routes where we're
8 hitting every NYCHA site. The developments that have
9 more rats, we're there once or twice a week.
10 Sometimes, I mean-- Red Hook we're there about two to
11 three days a week. But we're on a route so that
12 we're there and that is not necessarily tied to
13 tickets on the grounds or in public spaces. So we're
14 able to-- rodents, roaches in basements. So that's
15 proactive approach on that. Something we've started
16 doing is doing inspections on the high infestations,
17 seeing what else needs to be done on those areas, and
18 highlighting that. I think those are our main
19 channels.

20 CHAIRPERSON AVILÉS: Yeah. One of the--
21 obviously, one of the things that we see particularly
22 with the rats is trash. In Red Hook there's no place
23 for a trash can or somebody put a little tiny trash
24 can for like, you know, 6,000 residents. Doesn't
25

1
2 make any sense. How do you incorporate trash
3 management into these proactive strategies?

4 SENIOR DIRECTOR BARTLETT: I can talk a
5 second about it. I mean, it is definitely a balance
6 between making sure people are putting the trash down
7 the trash chutes, because--

8 CHAIRPERSON AVILÉS: [interposing] If
9 it's functional.

10 SENIOR DIRECTOR BARTLETT: If it's
11 functional. And having the correct amount of trash
12 receptacles through the neighborhood rat reduction
13 program. There were-- I think it was 43 million
14 dollars put toward interior and exterior compactors.

15 CHAIRPERSON AVILÉS: Where does that go?
16 Do you know?

17 SENIOR DIRECTOR BARTLETT: That went to
18 the Neighborhood Rat Reduction sites so that was the
19 first set of Neighborhood Rad Reduction sites in the
20 lower east side, Chinatown, Bushwick, Bed-Stuy, and
21 South Bronx area.

22 CHIEF GREENBURG: Vlada, if you want to
23 come up you can talk. We have a huge waste
24 infrastructure pipeline that we also have as part of
25 our-- you know, we got city capital funds. Joy can--

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

CHAIRPERSON AVILÉS: No, we're very excited about that particular project.

CHIEF GREENBURG: Yeah.

CHAIRPERSON AVILÉS: But that's one-- that's one development, right?

CHIEF GREENBURG: No, no, our waste infrastructure pipeline is going to hit-- how many? A couple hundred?

CHAIRPERSON AVILÉS: Oh, I'm thinking about the fancy anaerobic--

CHIEF GREENBURG: Oh, the pneumatic, the pneumatic--

CHAIRPERSON AVILÉS: [interposing] Pneumatic.

CHIEF GREENBURG: But we're going to have new waste yards kind of across the entire portfolio. It's a huge investment if you want to go online and read the City Capital Action Plan which lays out how we're allocating money across different development for waste infrastructure. It also requires that we upgrade a lot of the interior compactor rooms which is another major source of infestation sometimes, if we have a problem with in the interior compactor

1
2 rooms. So, it's a huge investment in waste
3 infrastructure.

4 CHAIRPERSON AVILÉS: Got it. I look
5 forward to that. I mean, I think our development, of
6 course, I will continue to speak about needs,
7 receptacle. It needs basic stuff, like appropriately
8 sized receptacles for the level of buildings and
9 equipment.

10 CHIEF GREENBURG: Yeah, and one of the
11 good things about the new waste yards, we can-- we're
12 all very way too enthusiastic about trash. But one
13 of the good things about the new waste yards, we can--
14 - we're all very way too enthusiastic about trash.
15 But one of the good things about the waste yards is
16 it's also going to encourage good recycling
17 practices. So we'll have places for a lot of the
18 cardboard and bulk trash which tend to be a big
19 problem at NYCHA sites and other ways of also making
20 sure that we manage the waste kind of across the
21 whole campus in a more effective way. So, I think
22 it's going to be really exciting. I think it's going
23 to help the pest problem. It's going to help the
24 problem on the ground. Hopefully, it'll be
25 aesthetically more pleasing as well.

1
2 CHAIRPERSON AVILÉS: Can I ask in terms
3 of the removing pests-- so I'm thinking rats in
4 particular, but you mentioned for roaches using the
5 gel and using less of the aerosol type pesticide. Is
6 there an accounting of the cumulative like impacts of
7 different treatments being done? So, let's continue
8 to use Red Hook for instance. There's obviously a
9 treatment that's done for the boroughs outside in the
10 soil, and then there's whatever's done in the
11 building, and then there's like all the construction
12 debris around blowing everything around everywhere.
13 Like, is there any sense of looking at like the
14 collective impact of everything that a particular
15 development is facing to understand truly how people
16 are being impacted by what is happening around them
17 and within the buildings?

18 CHIEF GREENBURG: I'll start. So, I
19 mean, one thing that we've been working with data
20 scientists from HUD and also the monitor's expert
21 entomologists on is trying to understand the baseline
22 of what the pest population was and is in every NYCHA
23 development. We've been doing-- Josey and her team
24 to active inspections each year and kind of a sample
25 of apartments. They also do burrow counts on the

1
2 grounds to figure out whether or not if the burrow
3 count is super high one month, has it come down based
4 on our treatment, which she can talk about. So
5 there's lot of ways we try to track the data. it's
6 challenging to try to count pests, and that's kind of
7 what we're trying to do, but there are ways that we
8 developed with some of our experts to try to
9 understand where we see pockets of too many pests and
10 where we see kind of an inability to bend the curve
11 on it. Is that a good-- that's a good
12 characterization I think of what we've done.

13 SENIOR DIRECTOR BARTLETT: Yeah. I mean,
14 I do want to add that the burrow counts are done by
15 the Department of Health. We do our own burrow
16 counts, but it's not just us doing our own counts,
17 and we do track all of our pesticide usage and that's
18 submitted to the DEC and the DOHMH each year.

19 CHAIRPERSON AVILÉS: Yeah, and you know,
20 as far as the Department of Health, Red Hook is good.
21 So, there's some clear problem with how it's getting
22 assessed when we see the level of infestation that
23 we've seen in Red Hook Houses. In terms of
24 construction, Joy, how is-- how are the contractors
25 held to account for-- what are they actually

1
2 accountable for in terms of pest management and
3 managing waste, and how are they held to account to
4 do those things?

5 SENIOR VICE PRESIDENT SINDERBRAND: Thank
6 you for that question. I really have appreciated
7 working with Josey over the last two years. The
8 expertise of the Pest Management Unit has extended
9 beyond that unit, and one of the things they've done
10 is partner with capital to make sure that our
11 specifications to contractors really reflect the best
12 practices that they're finding on the ground so that
13 we can be in lock-step. As you noted, at Red Hood
14 we're actually really collaborating. We're doing
15 walk-throughs together. We're making sure that a
16 space is owned by one party or the other to make sure
17 that every area is being addressed. Sometimes it
18 actually can be grey who owns a particular space in
19 terms of pest management. The contractors are
20 required to manage pests that are within their
21 construction areas. The Red Hook project and the
22 Sandy projects are somewhat unusual for the
23 portfolio. Typically we are working in a much more
24 constrained area of a development, and so the
25 contractor, it's much easier for them to understand

1 where their area of responsibility is, whether it's a
2 rooftop or whether it's a site lighting [sic]
3 replacement or a playground job. That work is
4 embedded within their contract, but it's also part of
5 what we talk about every time we meet with a
6 contractor. We have regular meetings with the tenant
7 association and the property management to make sure
8 that we're all on the same page about what's going on
9 and who's taking responsibility. And then on top of
10 that, I think I'd mentioned earlier, some of that
11 oversight within the capital depar-- within capital
12 we have a safety and quality group of about 20 people
13 that make unannounced visits and this is part of what
14 they're looking for, to see if there's debris or to
15 see if the mitigation is happening properly. We
16 certainly take complaints and observations from
17 residents both through formal channels and through
18 our community outreach teams to make sure that we're
19 being responsive.

21 CHAIRPERSON AVILÉS: Yeah. And I will
22 say, you know, Red Hook residents have seen
23 improvements for sure, and if there is coordination
24 that's not happening, they're going to demand it's
25 going to happen, and so by hell or high water we're

1 going to make sure it happens. In terms of-- sorry,
2 y'all, but I gotta keep talking about Red Hook. It's
3 just a perfect kind of case and point of a conflation
4 of many things that certainly other developments are
5 facing, particularly in the lower east side. You
6 know, the mountains of soil, they're supposed to be
7 covered, but they're not. Not all of them, right?
8 This is not a zero sum situation, but we still see
9 just like the same problems over and over again.
10 What is NYCHA doing beyond us calling you ad nauseam
11 every single time we see a violation. How is NYCHA
12 monitoring this enormous contractor, right? Some of
13 the biggest contracts we see in this situation.

14
15 SENIOR VICE PRESIDENT SINDERBRAND: So,
16 I'll talk about Red Hook, but I also just want to
17 talk about the portfolio in general. In general, we
18 are doing very small number of projects that have
19 that level of intermittent excavation. That said,
20 going forward, the work that we're talking about
21 through comprehensive modernization, the trust, we
22 want to be able investing that level into more
23 developments. So, the lessons learned from these
24 major projects is helping us guide going forward how
25 we're going to monitor our contractors for the Sandy

1 program specifically and Red Hook in particular.

2 During the work day when contractors are using the
3 dirt, the pile may not be covered. It's too-- if
4 you--
5

6 CHAIRPERSON AVILÉS: [interposing] The
7 piles are not covered at night, Joy. Like this is
8 not like a, "oh, we're covering our pile now, we're
9 done." Like they're just not covered, like-- or
10 they're like-- there's a little strip of covered and
11 trees growing through it. Like, that's actually what
12 you see a lot in Red Hook, trees growing through the
13 piles of dirt.

14 SENIOR VICE PRESIDENT SINDERBRAND: You
15 should never see pile completely uncovered overnight
16 after work is done. That's something we really
17 strive to push the contractor to do. The primary
18 responsibility for oversight at Red Hook is our
19 construction management agent in the field. So we've
20 hired a firm who has boots on the ground every day.
21 Red Hook, in particular, has hundreds of workers on
22 site every day so NYCHA staff can't-- we don't have
23 enough staff to manage it with in-house staff. We're
24 using this construction management firm, Muro [sic].
25 They're on site every day. We also have project

1
2 management oversight at NYCHA that we are both
3 partnering with and overseeing that construction
4 management firm. The Sandy program has additional
5 resources of oversight. So we leave-- actually paid
6 for a third-party monitor. This happens at some
7 programs at NYCHA where there's extraordinary amount
8 of investment. And so in addition to the safety and
9 quality group and their unannounced visits, this high
10 priority monitor also make unannounced visits to look
11 at the work that we're doing. And property
12 management is again there every day. They're helpful
13 for making observations to us if something isn't
14 noticed that both of those development together are
15 about 40 acres. So there's a lot of work happening
16 at a lot of different places, and property management
17 is a great partner in making sure that we know things
18 are going on that we need to fix.

19 CHAIRPERSON AVILÉS: How much staff would
20 you say you need to do an appropriate-- not-- and not
21 to suggest you're doing inappropriate, but to do a
22 sufficient level of oversight and, you know, boots on
23 the ground to perform your function? How many
24 additional staff would you need to meet that mandate?

25

1
2 SENIOR VICE PRESIDENT SINDERBRAND: On a
3 program level you're talking about or as a portfolio?

4 CHAIRPERSON AVILÉS: I think let's do--
5 let's answer both.

6 SENIOR VICE PRESIDENT SINDERBRAND: Sure.
7 So, on a program level, you know, we have a lot of
8 layers of oversight for the Sandy recovery program
9 which is the most impactful construction we're doing
10 right now, and I would say we are trying to be as
11 responsible as possible with the disaster recovery
12 funding so that the oversight isn't taking funds away
13 from the actual construction project. That's
14 something we're very confident of. As a portfolio as
15 a whole, we're actually trying to re-level the number
16 of projects for project manager for exactly that
17 reason. Compared to our partner agencies, NYCHA
18 project managers have far more projects, and so we've
19 been working with program managers. As NYCHA gets
20 additional resources, often it's a large amount of
21 money that has to be spent very quickly, and in that
22 case, we might have program managers come on so that
23 we're not overburdening project managers with even
24 more projects. We're trying to make sure that that

2 level of projects per person stays at a reasonable
3 level.

4 CHAIRPERSON AVILÉS: And what is that
5 level?

6 SENIOR VICE PRESIDENT SINDERBRAND: Right
7 now, it varies, but we have an average of about 14.

8 CHAIRPERSON AVILÉS: I'm sorry?

9 SENIOR VICE PRESIDENT SINDERBRAND: An
10 average of about 14.

11 CHAIRPERSON AVILÉS: Fourteen, okay.

12 CHIEF GREENBURG: Fourteen projects per--

13 CHAIRPERSON AVILÉS: I'm sorry.

14 SENIOR VICE PRESIDENT SINDERBRAND:

15 Sorry, my throat is just--

16 CHAIRPERSON AVILÉS: [inaudible]
17 terrible. So an average person managing 14 projects.

18 SENIOR VICE PRESIDENT SINDERBRAND:

19 Project manager, yeah.

20 CHIEF GREENBURG: Yeah, I mean it's
21 important to keep the scope and scale of projects
22 varies significantly.

23 CHAIRPERSON AVILÉS: Vary. And I'm sure
24 there's a particular standard. Would that be
25 considered above standard in terms of--

1
2 CHIEF GREENBURG: [interposing] So, one
3 of the things Joy mentioned is that we have program
4 management firms that take over kind of some of the
5 pipelines, like our boiler pipeline or elevator
6 pipeline with state funds that are in a lot of
7 different developments, but they can throw more
8 resources at it and manage it effectively. So we, I
9 think most of the projects-- correct me if I'm wrong--
10 - but most of the projects that are managed in-house
11 tend to be smaller projects, and larger projects we
12 try to use a lot of other resourcing to manage,
13 because it's-- you couldn't have one person manage 14
14 boiler projects, for example. Maybe you can for some
15 community center projects.

16 CHAIRPERSON AVILÉS: Sure. So it's--
17 it's fluid. But Joy, I heard you say you needed more
18 capacity and then kind of walked it back. So, do you
19 need more capacity?

20 SENIOR VICE PRESIDENT SINDERBRAND: On
21 the project management side, we certainly-- we could
22 certainly use more resources, but we also want to be
23 able to have the capacity for additional funding when
24 it comes in. that's, you know, that's the ongoing
25 challenge is we have a static number of people,

1
2 static headcount, and we want to be able to be ready
3 for when those additional funds come so we can hit
4 the ground running.

5 CHIEF GREENBURG: One of the challenges
6 that I'll say we face, and Dan faces it too, because
7 Dan has a lot of city capital money for the lead
8 program, is project management costs are not
9 capitally eligible for the City or the State. So we
10 really can't use a lot of the funds that we might get
11 for capital projects for just regular project
12 management staffing, and that means that we have
13 these expense dollars for it or other kind of federal
14 dollars which is more limited for us. And so some
15 folks will say, oh, we're going to fund a lot of
16 capital work, but not-- we don't have the money for
17 project management side, and that's the challenge
18 that we have.

19 CHAIRPERSON AVILÉS: And given deficits
20 and, you know, rental arears--

21 CHIEF GREENBURG: [interposing] Expense
22 budget is very tight.

23 CHAIRPERSON AVILÉS: it's going to get a
24 very particular problem. A very specific question, I
25 think this is probably for you, Joy. Crystalline

1
2 silica or silica dust has been identified by the US
3 CDC as hazardous material that become airborne during
4 activity such as cutting, drilling, or other
5 construction techniques used by projects like the
6 ones on NYCHA properties, particularly like probably
7 Red Hook and the other Lower East Side resiliency
8 projects. So remediation measures does NYCHA require
9 contractors to take to prevent the spread of silica
10 dust?

11 SENIOR VICE PRESIDENT SINDERBRAND: I can
12 speak to dust in general. I'd have to get back to
13 with specifics for silica dust, but in general we
14 have techniques like wetting and tarping, and in very
15 specific conditions when regulatory agencies are
16 involved, there might be a particular for different
17 construction workers who are closest to the dust and
18 they would have to wear particular personal
19 protective equipment. And also in very specific
20 situations we would monitor-- regulatory agencies we
21 would have potentially a monitoring. At certain
22 sites where we--

23 CHAIRPERSON AVILÉS: [interposing] can you
24 speak a little bit closer to the mic?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

144

SENIOR VICE PRESIDENT SINDERBRAND: Sorry about that. At certain sites where we've been working close to a building, we might also install plastic sheeting over windows and air conditioners during a time that excavation or dirt moving is occurring. I would get back-- I'll have to get back to you about-- specifically about the silica dust, though.

CHAIRPERSON AVILÉS: You would put protective sheeting where?

SENIOR VICE PRESIDENT SINDERBRAND: Red Hook is a good example where we were doing excavation of foundations close to residential buildings when we were actively excavating. In addition the wetting, we would also speak to the residents ahead of time and put plastic sheeting over windows and air conditioners in order to protect any intrusion from the dust.

CHAIRPERSON AVILÉS: And is there-- are there the provision of any air filter, air monitors provided to residents during any of that? Because the dust is pretty significant.

SENIOR VICE PRESIDENT SINDERBRAND: The-- Red Hook specifically we developed our air monitoring

1
2 plan in coordination with EPA and essentially
3 mirrored the plan that they had put in place to the
4 south of the site in the ball field, even though EPA
5 had determined that Red Hook didn't have the same
6 impact from the smelting operations that impacted the
7 ball field. So we followed their guidance to--

8 CHAIRPERSON AVILÉS: [interposing]

9 Although, I will say for the record that that is
10 under some contention for sure. I'm not sure people
11 believe that, in particular. Nevertheless, you don't
12 have to debate that with me. So in terms of-- so
13 what was-- so sheeting, and then what was provided,
14 nothing?

15 SENIOR VICE PRESIDENT SINDERBRAND: Well,
16 our goal-- I think this is similar to the question
17 about the temporary boiler and soot. Our goal is to
18 control the dust where it's occurring. So--

19 CHAIRPERSON AVILÉS: [interposing] Right,
20 and it wasn't controlled. So what happens when it's
21 not controlled? Because it was not controlled.

22 SENIOR VICE PRESIDENT SINDERBRAND: So,
23 we did about 44,400 individual air monitoring tests
24 at Red Hook between May 2020 and February 2023.
25 These are 10-minute intervals and they're done by a

1
2 third-party air monitoring firm that's licensed to do
3 this work with specialized equipment. It's not off-
4 the-shelf equipment. And of that, approximately 45
5 tests, so 0.1 percent of these measurements exceeded
6 our action level, and our action level doesn't
7 necessarily mean that there's a danger to residents.
8 It just means we stop work and take additional
9 precautions at that moment so that it doesn't go past
10 the 10-minute interval.

11 CHAIRPERSON AVILÉS: So, these were tests
12 inside people's apartments?

13 SENIOR VICE PRESIDENT SINDERBRAND: No,
14 this is-- we're not even getting to people's
15 apartments. Before the dust even gets to people's
16 apartments.

17 CHAIRPERSON AVILÉS: Because you can go
18 like this, like-- oh, all the dirt from outside--

19 SENIOR VICE PRESIDENT SINDERBRAND:
20 [interposing] I can do that in my apartment, too.

21 CHAIRPERSON AVILÉS: In every window
22 sill, oh, look at that, all the brown dirt from the
23 mound outside. But I appreciate, 44,000 tests and
24 they found nothing.

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

147

SENIOR VICE PRESIDENT SINDERBRAND: Well, we found-- at least 45 times we stopped work to determine if there was something additional we could do to mitigate the dust, and then that we were able to restart work and not have the positive reoccur.

CHAIRPERSON AVILÉS: And in terms of the Department of Health, the Department of Health is tracking as well, or is this just the independent contractor through NYCHA?

SENIOR VICE PRESIDENT SINDERBRAND: Well, the test results are on a public website, so anyone is able to review that material, and I can send you think if you don't--

CHAIRPERSON AVILÉS: I've seen it before. We'll look at it again. In terms of-- I guess, let's play out this circumstance. If let's say there were more findings of alarming things. You mentioned your stopped particular work. When does the Department of Health get involved?

SENIOR VICE PRESIDENT SINDERBRAND: the Department of Health doesn't have a formal role in this particular oversight where we're not following a regulatory agreement, but they've certainly been a great partner in places where people had concern, and

1
2 they've been more than happy to look at our plans or
3 visit with residents who have personal concerns.

4 CHAIRPERSON AVILÉS: Got it. So there
5 were -- I guess I'm trying to-- I guess they are if
6 you bring them in, right, to maybe look at stuff and
7 to collaborate on what you're finding, they don't
8 necessarily have a formal role in testing and
9 responding.

10 CHIEF GREENBURG: Well, so the initial
11 testing of the soil is obviously is done by EPA. So
12 we have other regulators that we partner with around
13 testing. It wouldn't really be the city Department of
14 Health that would do soil testing. And likewise, at
15 other locations we have D-- New York City DEC do
16 soil-- that has had to do soil testing. But it's a--
17 like Joy said, you know, I think-- they set up a--
18 we complied to also reviews of the air monitoring
19 results, and we also do on-site announce visits to
20 see whether or not people are tarping the soil
21 properly and whether the soil is covered. Sometimes
22 we find that there's broken seams, or other problems
23 with the trap, but in general I think it's like a
24 pretty-- it's a really rigorous oversight over the
25 project at this point.

1
2 CHAIRPERSON AVILÉS: Have you guys ever
3 clawed back resources or reprimanded a contractor or
4 provided-- not reprimand, the financial penalty for
5 inadequate work, very late work, any of the above and
6 certainly related to, you know, mitigation or
7 remediation efforts or inappropriate behavior, or not
8 doing what they're supposed to be doing?

9 SENIOR VICE PRESIDENT SINDERBRAND: we
10 certainly have a Law Department that is available as
11 a resource to determine if the situation leads us to
12 a path of mitigation. But on every project we retain
13 at least-- you know, five percent age retainage on
14 the project as we're going through. So every invoice,
15 five percent of the construction dollars are retained
16 exactly for those purposes and case work has to be
17 done on the contractor's behalf in case it's
18 discovered that an error was made and something needs
19 to be corrected, and so that's the purpose of that
20 work, that retainage.

21 CHAIRPERSON AVILÉS: Could you provide
22 for the record a list of all the contractors that
23 where the five percent was in fact retained for work,
24 post and o/r the contractors for whom NYCHA's in
25

1
2 litigation with and/or reprimanding, or asserting
3 financial penalties?

4 CHIEF GREENBURG: I think we'd have to
5 talk through the request a little bit. I mean, we--
6 we obviously have lots of-- lots of back and forth
7 with contractors all the time on the PACT side, on
8 the capital side, in Dan's program, and Josey, and
9 sometimes we say, no, we're not going to pay for
10 that. Sometimes we say, I'm sorry please go back out
11 there, and we do this all the time. So we could give
12 you probably every contract in some ways, but we do
13 try to actively manage our contracts. So I think--
14 we're happy to talk through it.

15 SENIOR VICE PRESIDENT SINDERBRAND: I
16 mean, I think the-- that's exactly right. We are
17 frequently receiving claims from contractors, some of
18 which we reject and some of which we accept that are
19 well before that five percent retainage would be
20 release, and so it's throughout the course of the
21 project.

22 CHAIRPERSON AVILÉS: Yeah, I appreciate
23 that will be along gigantic list. Nevertheless, I
24 think what I'm getting at here certainly is what you
25 hear from residents around porch [sic] contractors

1
2 being used over and over again, and certainly a good
3 number of documentation around contract overrides.

4 And I know this hearing is not on contracts per-say,
5 nevertheless contracting oversight is a huge ongoing
6 issue of concern, and it certainly implicates air
7 quality, quality of life for just every kind of
8 dimension that residents have to deal with. So, I
9 think--

10 SENIOR VICE PRESIDENT SINDERBRAND:

11 [interposing] It's a bit afield from the topic, but
12 we are actually working very hard to strengthen our
13 training of project managers and to increase the
14 consistency across the project managers for how they
15 do that oversight, and so that's an initiative of us
16 and capital management that's being rolled out this
17 year. Some of those trainings are under development,
18 and some of those key performance indicators are part
19 of this year's goals to make sure people are making
20 it to the site and make sure that they're doing
21 oversight with the same kind of consistency that, you
22 know, Dan and Josey have been talking about.

23 CHAIRPERSON AVILÉS: Yeah, and quite
24 frankly, our city should not be engaged in business
25 with bad contractors regardless of their affiliations

1 and associations. Public dollars should not reward
2 bad behavior and offer terrible work, but we continue
3 to do that certainly. So I'd love to-- we can talk
4 some more about that. In terms of-- let's see, I'm
5 sorry. I lost my place here. Can you explain a
6 little bit what the difference is between the NYCHA
7 Healthy Homes Department, NYCHA's Independent
8 Construction Safety Unit, and NYCHA's Health and
9 Safety Unit?
10

11 SENIOR VICE PRESIDENT GREENE: sure. So,
12 Healthy Homes which I oversee is an operational
13 department. We report to the COO and we manage now
14 four programs that do work in apartments on
15 environmental issues. So we manage the lead testing
16 and abatement program. We manage the mold program,
17 obviously. And mold is-- it has various elements,
18 but it basically is an over-- it's a quasi-oversight
19 entity that deals directly with the Baez case and the
20 experts that are associated with it. We also oversee
21 contractors doing complex jobs. We also have the
22 staff that interact with the OCC. We do special
23 projects such as the ventilation project. So it's
24 sort of a clearing house for mold issues, and we do a
25 ton oversight-related activities on mold and leak

1 performance that's done by operations. Ninety-nine
2 percent of the day-to-day mold work is done by
3 plumbers, carpenters, painters that work for
4 operations. Then I also oversee the asbestos
5 department, which is also air quality, and that
6 Department does the asbestos compliance and abatement
7 and testing for operations, not for capital projects,
8 just for the operations. Examples of this are the
9 floor tiles, which we've had a huge push to get
10 better in compliance with the vinyl asbestos floor
11 tiles which do contain asbestos in many
12 circumstances, and also the glue that is used to--
13 the mastic it's called. So we oversee the
14 inspection. If a resident has broken floor tiles in
15 their apartment, we make sure it's inspected. If it
16 has asbestos, we actually work to relocate that
17 resident during the course of that work and also the
18 residents' belongings while we conduct the asbestos
19 abatement. We also abate at turnover as well, at
20 apartment turnover which we-- which was a subject of
21 last months' hearing. The fourth department that
22 we've now taken on is water, which is an office, the
23 Office of Water Quality which is nested within the
24 mold department just to-- it's a small department, so
25

1 we want to make sure there's adequate staffing and
2 oversight. They're overseeing legionella response
3 efforts is their primary role, and they're also
4 building the water program out, new procedural
5 manners on water, sort of arising from the incidents
6 of last summer. So those are our four program areas.
7 Environmental health and safety is an oversight
8 entity. They report not to the COO. They report to
9 the CEO or formerly the Chair. They were created
10 specifically by the HUD Agreement, but the SDNY to
11 oversee it. So, they look at my work. I'm the
12 person abating the lead. They will send their
13 inspectors out to make sure that we are meeting all
14 the requirements, and they would have a different
15 reporting chain so fi there are conflicts or
16 disagreements that we can get over-ruled and
17 implement, you know, whatever recommendations they
18 see. So they are an oversight entity. I'm not sure
19 about the third entity. I think that that might be
20 Joy.

22 SENIOR VICE PRESIDENT SINDERBRAND: So,
23 then the Construction Safety and Quality Group is
24 part of asset and capital management, and they really
25 have a few roles. One is that unannounced visit,

1 boots the ground, oversight for the safety and
2 quality of capital projects, and they also have an
3 Environmental Compliance Unit, and they are very key
4 in the work that when we do asbestos work, they play
5 very key role in helping us follow all of the
6 regulatory guidelines and permitting requirements to
7 network done.

8
9 CHAIRPERSON AVILÉS: Got it. Whew, this
10 is like the biggest organizational chart on the
11 planet.

12 SENIOR VICE PRESIDENT SINDERBRAND: We're
13 a little city.

14 CHIEF GREENBURG: Yeah. I guess the way
15 to think about it is, yeah, we have operational
16 units, we have capital units, and then we have
17 general oversight units that are really tying enforce
18 the--

19 CHAIRPERSON AVILÉS: [interposing] And
20 then we have like one caretakers how has to deal with
21 6,000 residents.

22 CHIEF GREENBURG: Yeah, we try.

23 CHAIRPERSON AVILÉS: I get it. I get it.
24 In terms of-- how long does it take NYCHA to review
25

1
2 the dust control requirements for general
3 contractor's safety plan?

4 SENIOR VICE PRESIDENT SINDERBRAND: The
5 dust control requirements would be part of the--

6 CHAIRPERSON AVILÉS: [interposing] Like
7 for a general contractors, I guess a safety plan or
8 whatever plan they--

9 SENIOR VICE PRESIDENT SINDERBRAND:
10 [interposing] sure, I would have to get back to you
11 on the performance indicators for CSQ, but they would
12 review that site safety plan before a contractor
13 would be able to--

14 CHAIRPERSON AVILÉS: [interposing] And
15 they're doing consistent, repeated, let's say
16 inspections or--

17 SENIOR VICE PRESIDENT SINDERBRAND:
18 [interposing] Yes.

19 CHAIRPERSON AVILÉS: Got it. And if a
20 scope of work changes for the contractor, are all
21 the-- is the safety plan also adjusted?

22 SENIOR VICE PRESIDENT SINDERBRAND: I
23 think that would depend on the level of substance of
24 the change in terms of the change in terms of the
25 work. I mean, certainly if it would be-- if it would

1
2 include any environmental concerns, it would
3 definitely have to be reviewed, and if there's
4 particular safety issues like requiring crane lifts
5 or some other potential safety concern, then that
6 would also require safety plan view.

7 CHAIRPERSON AVILÉS: So, in terms of the-
8 - I guess, are any of the contractors ever required
9 to-- there's an obvious like behind the fence you've
10 got to pick up your trash and you don't. Are
11 contractors every required to do additional
12 janitorial services on the campuses? Or is it just
13 their kind of work site?

14 SENIOR VICE PRESIDENT SINDERBRAND:

15 Right, so the contractors' contract obligates them to
16 maintain work areas, and again this varies project by
17 project because many projects are building-specific r
18 components that's specific. On the Sandy program
19 where we've had to do much more site-wide work,
20 there's much more collaboration between us and
21 property management, pest management, and also even
22 within capital between teams. There may be more than
23 one team active on a site managing projects and
24 making sure that the garbage is being done
25 appropriately. So various contractors have taken it

1
2 repairs. The scaffolding is installed as, you know,
3 as soon as possible as part of complying with
4 Department of Buildings requirements, but there is no
5 staffing on-site from that scaffolding-- from that
6 scaffolding company, and so there is much more of a
7 collaboration with property management to make sure
8 that we can maintain those sites over time.

9 CHAIRPERSON AVILÉS: So, again, in the
10 case of Red Hook where we have scaffolding everywhere
11 and a huge accumulation of trash on all the
12 scaffolding, it implicates pests and other fun
13 situations, there is no money and just sits there.

14 SENIOR VICE PRESIDENT SINDERBRAND: I
15 believe Red Hook has funding for some of the Local
16 Law 11 work. I can't speak off-hand to which
17 buildings, but Red Hook's a great example of where we
18 have that kind of coordination where certain
19 buildings are going to be under active construction.
20 Other buildings we might only have the funding to put
21 up the sidewalk shedding I think is what you're
22 referring to around the buildings to prevent debris
23 from potentially hitting residents. And then the
24 fencing is sometimes installed instead of sidewalk
25 sheds. So, in order to reduce the amount of

1 shedding, which people have said they find dark, that
2 we put in the fencing to keep people out of larger
3 areas near the buildings where we aren't able to do
4 the repairs right away due to funding.

5
6 CHAIRPERSON AVILÉS: Got it. You see how
7 much I love the shedding in Red Hook that's sitting
8 there with tons and tons of trash. It's-- yeah, it's
9 a thing. I guess, you know-- I think with that-- in
10 terms of-- can you tell us a little bit about what
11 soil testing does NYCHA and/or any contractors hired
12 by NYCHA undertake when they do construction that
13 would disturb the soil on NYCHA property?

14 SENIOR VICE PRESIDENT SINDERBRAND: I'm
15 going to start. I'm actually going to hand it over
16 to Vlada, because her group manages this, and this is
17 an evolving process for us. So we are actually in
18 the process of improving this very piece. There's--
19 NYCHA follows the city, the state, and the federal,
20 so SECRE [sic], SECRA [sic] and NIPA [sic], but what
21 we have is a two-phase process, and we're going to
22 introduce another acronym to you for another group
23 that is doing oversight of environmental concerns.

24 SENIOR VICE PRESIDENT KENNIFF: Thank
25 you, Joy. The team recently came over to work under

1
2 my portfolio, so we are closely working at whenever
3 there is soil disturbance and capital work, we follow
4 the NIPA, SECRE and SECRA as Joy has just mentioned.
5 You know, when there are triggers that require
6 compliance with those requirements, we conduct a
7 phase one desktop analysis to see if there are
8 environmental concerns in the area, if there are
9 underground storage tanks. If there's spills, if
10 there's industrial, we work with DEP to do that
11 analysis. And then if DEP recommends we move onto a
12 phase two and do testing of the soil, of the area
13 where the disturbance would be happening, and based
14 on the results of the phase two report, there would
15 be a recommendation if other measures need to be
16 taken, if we need to cap the soil, if it needs to be,
17 you know, two feet needs to be taken out and clean
18 soil need to be put in, if any venting needs to
19 happen. So all of that happens in a phase two.

20 CHAIRPERSON AVILÉS: And are those
21 results provided to the public?

22 SENIOR VICE PRESIDENT KENNIFF: They go--

23 CHAIRPERSON AVILÉS: [interposing] Easily
24 accessible place.

25

1
2 SENIOR VICE PRESIDENT KENNIFF: So, they
3 go through a process, you know. DEP looks at the
4 results with us. I don't know if there's a repository
5 for all these files, but I can get back to you.

6 CHIEF GREENBURG: I will say, I mean,
7 there are some sites that are actively managed by a
8 regulator. So there are parts of Riis Houses, not all
9 of Riis Houses, but parts of Riis Houses that's under
10 a DEC interim site management plan that's based on
11 DEC's testing of the soil from a few years back.
12 That's all publicly available. DEC makes it
13 available. There's other testing that happens at
14 NYCHA sites that's been a regulator that's publicly
15 available, too. so it varies based on the project,
16 the regulatory oversight exists for a particular
17 site, and kind of what the particular project is
18 that's happening, whether it's disturbing the soil. I
19 know it's a hard answer, but that's really how it's--
20 how we gauge it.

21 CHAIRPERSON AVILÉS: But in terms of-- so
22 for a project with DEC, they are in charge of
23 reporting it. NYCHA doesn't necessarily say, hey
24 residents, are you interested in your-- here's the
25 link to where you can find--

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

CHIEF GREENBURG: [interposing] Yeah, I mean, so DEC-- so, for example, the Riis Houses is a former manufactured gas plant from the 1850s.

CHAIRPERSON AVILÉS: Yep.

CHIEF GREENBURG: It's like portions of the basically northeast part of the property, the campus that are part of the interim site management plan. I think DEC has done a lot of sessions with residents. They should-- I mean, it'd be great if they did more. We definitely talked to residents a lot about it, but yeah, it does kind of sometimes come down to different entities doing the testing, and I don't think we can-- we don't always have the ability to say, okay, go to DEC, because I think it's a more confusing place even than just coming--

CHAIRPERSON AVILÉS: [interposing] Totally, and if it's comprehensible, right?

CHIEF GREENBURG: Right.

CHAIRPERSON AVILÉS: If you need PHD program to discern the five font of numbers that don't make sense.

CHIEF GREENBURG: Yeah, they're very long documents and they're sometimes challenging to

1
2 navigate. So, I think we can come up with ways to
3 make it more accessible.

4 CHAIRPERSON AVILÉS: Yeah, I think the
5 tenants merit that, particularly environmental
6 justice communities, right? They are facing-- that
7 is only but one component of pollutants that they're
8 dealing with on a daily basis and deserve to get the
9 full scope of what is happening to them and their
10 families--

11 CHIEF GREENBURG: [interposing] Yeah.

12 CHAIRPERSON AVILÉS: and what they're
13 exposed to, quite frankly, in discernable ways. So I
14 would love to see publicly available information for
15 residents. I would like to go back to Ms. Elden's
16 comments at the top of the meeting where she
17 mentioned the replacement of, you know, these roofs.
18 Can you walk us through what is NYCHA supposed to be
19 doing in terms of informing residents, not only
20 informing them of the entire process, but you know,
21 the protocols and what will happen with seven layers
22 of ancient roofs with a whole lot of asbestos to
23 those residents, and not just the top two residents,
24 right? The whole building, asbestos will fly in the
25 air, so what's going to happen to those residents?

1
2 What can they expect in terms of information and
3 support to ensure their health and safety?

4 SENIOR VICE PRESIDENT SINDERBRAND: Well,
5 you've heard a lot today about new standard
6 procedures that the Agency has rolled out, and that
7 is also true for stakeholder management, stakeholder
8 communication in the Asset and Capital Management
9 Department. So what we're finalizing now is actually
10 having increased touch-points with both the resident
11 leadership and the residents and property management
12 to make sure that everybody's really on the same page
13 of projects. This includes during the planning
14 phase, during the procurement phase, during when does
15 the construction start and then at certain points
16 during construction. The tenants association
17 president is always invited to the recurring
18 meetings, and there's also other touch-points with
19 the residents during their resident-- sorry, their
20 resident leadership meetings onsite, and with the
21 stakeholders for that development which may include
22 not just residents but community centers, senior
23 centers, and other providers. with asbestos
24 specifically prior to any abatement, NYCHA will use
25 the services of an environmental service vendor, and

1 so these provide Department of Labor licensed
2 asbestos project monitors to oversee the abatement,
3 to operate and monitor the air monitoring equipment
4 and ensure compliance with all applicable
5 regulations. And before that, we have that step where
6 the contractor has to submit a plan to the
7 environmental compliance unit. So there's really a
8 multi-phased approach. that plan goes to the
9 Environmental Compliance Unit is-- and again, I'll
10 get back to you about the turnaround times, but
11 that's reviewed for compliance with all of the
12 Oversight Agency requirements to make sure that that
13 third party monitoring firm is appropriate and is
14 licensed, and then to make sure that the plan is
15 being followed, we have the oversight pieces of NYCHA
16 doing those unannounced visits in addition to the
17 project management teams.

19 CHAIRPERSON AVILÉS: And will any of the
20 residents there have to be moved while they're
21 making-- replacing these roofs?

22 SENIOR VICE PRESIDENT SINDERBRAND: I
23 don't know enough about these projects, so I'd have
24 to get back to you. Typically, we do not have move
25 residents for a typical roof replacement. We're able

1
2 to put down-- we're able to require the contractors
3 to phase their removal such that there aren't large
4 swaths of roof that are not protected at any
5 particular period of time, and we're also very
6 cognizant of weather. So we try to schedule the
7 roofing replacement so that it's not during the
8 winter seasons.

9 CHAIRPERSON AVILÉS: So, how does NYCHA
10 ensure that the residents' air quality is safe? You
11 have the contractor obviously say they're going to
12 agree to these certain things, but is there any way
13 that NYCHA actually definitely knows whether or not
14 there is contamination coming from these projects?
15 Is there any proactive monitoring happening?

16 SENIOR VICE PRESIDENT SINDERBRAND: So
17 again, we're dealing with the root source. So, at
18 the project there have to be a dust mitigation and
19 debris control measures. Those are overseen by the
20 construction management or project manager who visit
21 the site, and then we are, you know, held in-check by
22 other parts of the agencies and monitoring that
23 occurs with unannounced visits when we're giving
24 feedback on the work that we're doing.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRPERSON AVILÉS: There's no-- is their air monitoring happening?

CHIEF GREENBURG: Yeah, so if it's during an asbestos-- if it's containing-- contaminated material, obviously we have to do air monitoring during the abatement. If we're going to disturb the material, we have to air monitoring as well, which is not done by the contractor, it's done by a third party. So there's air monitoring. If it's specific to asbestos, that is a requirement that we have.

CHAIRPERSON AVILÉS: Got it. So there will be air monitoring done here.

CHIEF GREENBURG: I honestly don't know enough about the project to know--

CHAIRPERSON AVILÉS: [interposing] Sure.

CHIEF GREENBURG: whether we've done an investigation for asbestos and we found it, but we can certainly look into it.

CHAIRPERSON AVILÉS: If we can commit to Ms. Elden to certainly follow up with a clear protocol, I'll be--

CHIEF GREENBURG: And I will say-- yeah, it's also written [sic] by DEP [inaudible] which is true. So, the other thing I'll say is it's been

1 really heartening to watch for the ANCM [sic] team.
2 They do have these progress meetings now, and every
3 couple weeks the tenant association board is invited
4 to the meeting to kind of sit in on the project, hear
5 what the two-week look-out looks like, hear about
6 kind of what's happening. So I've had a lot of
7 residents give me really positive feedback about that
8 process for some of the boiler projects. I do think
9 they're doing a lot more stakeholder engagement and
10 try to keep people informed about what's happening,
11 and it's really important because it's obviously
12 where residents live, and there's a lot of work
13 happening at NYCHA. The good thing is we've got a
14 lot of money, but not enough, but we've gotten a lot
15 and there's a lot more work happening. So the
16 stakeholder engagement is catching up to all the work
17 that's happening I think.

19 CHAIRPERSON AVILÉS: Unfortunately, I
20 know Ms. Elden wants to jump in here, but I think
21 it's against protocol Ms. Elden, so could we-- we're
22 at the end, okay. Oh, yeah. Ms. Elden, as we close
23 out the panel, I'm happy to have you jump in again,
24 okay? Oh, yes, yes, yes. Thank you. Has NYCHA
25 explored entering any partnerships with federal state

1
2 agencies such as OSHA to produce standard
3 construction safety protocols?

4 SENIOR VICE PRESIDENT SINDERBRAND: Well,
5 OSHA is our Bible. We have to abide by OSHA
6 guidelines and requirements, and we measure our TCIR
7 which now, of course, I'm blanking on what it means,
8 but we measure our safety record according to their
9 rules. Generally speaking, NYCHA is safer than the
10 state and the country, but not always, and we're
11 working very hard to keep our safety record as good
12 as possible.

13 CHIEF GREENBURG: We're doing
14 partnerships, I will say, all the time. So, like Joy
15 said, we partnered at EPA at Red Hook. Vlada's team
16 is partnering all the time with NYPA and NYCERTA
17 [sic] on some sustainability initiatives. Anybody
18 that wants to partner with NYCHA, our door's open, I
19 promise.

20 CHAIRPERSON AVILÉS: Yeah, I guess
21 similar to not only partnership, but what funding
22 sources is drawing on in terms of like federal
23 pockets of funding for any of these particular areas?

24 CHIEF GREENBURG: We're open to any
25 funding source. So anybody's that's got money--

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

171

CHAIRPERSON AVILÉS: [interposing] You know, I appreciate that--

CHIEF GREENBURG: [interposing]
[inaudible]

CHAIRPERSON AVILÉS: Everybody's open, but not everybody is applying, right?

CHIEF GREENBURG: Apply [inaudible]

CHAIRPERSON AVILÉS: Like, this is a very common response we get from agencies. We get the response of oh, we need money but we'll never say it, right?

CHIEF GREENBURG: [inaudible]

CHAIRPERSON AVILÉS: And we'll take any money, but we won't necessarily apply or there's no real like evidence why we aren't maximizing--

CHIEF GREENBURG: [interposing] Yeah.

CHAIRPERSON AVILÉS: drawing down on different funding parts, and that could be for very legitimate reasons, right? Like, not having adequate staff to actually do that work, I don't know.

CHIEF GREENBURG: Yeah.

CHAIRPERSON AVILÉS: But what we'd like--

CHIEF GREENBURG: [interposing] I hear you.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRPERSON AVILÉS: to see is clear evidence of where NYCHA is actually drawing down those pots of resources so that if there is an instance where we can complement and certainly advocate to maximize those resources like we do every single day, because we-- the situation is a real one, and we want to have the sufficient resources for our residents, right? So, I'd love to see very tangible evidence around what that actually is, where are we drawing funding from, where can we also partner with elected officials to make sure that they are weighing in and supporting those applications. I have never heard one of my colleagues say that they have weighed in to an application from NYCHA to a federal or state agency around a particular program, and maybe that's because I'm new. So that's the challenge for you to debate.

CHIEF GREENBURG: Yeah, we'll let Vlada talk about some of the grant applications we're putting in now. I will say we've won a lot of grant applications in the last couple years for HUD resources, for state--

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

173

CHAIRPERSON AVILÉS: [interposing] Yes, and I know Vlada's the star candidate here, so I'm not so sure.

CHIEF GREENBURG: Yeah, so we'll-- you might regret saying that because we might ask you for a quote now for every applications.

CHAIRPERSON AVILÉS: I want more. I want more.

CHIEF GREENBURG: Good. Go ahead, Vlada.

SENIOR VICE PRESIDENT KENNIFF: My team is actually applying for a grant today that's due at five o'clock, so--

CHAIRPERSON AVILÉS: [interposing] Your team is good. So you brought your star player to the press, and you're the-- you're another star player, but I appreciate that. Tell us, because residents do want to know that, and I will say your work has been one of the few where it's like clear that that is happening, but we haven't been very clear about where we deploy our collective power to make sure that NYCHA is in fact maximizing resources from all these other venues.

SENIOR VICE PRESIDENT KENNIFF: Yeah, I think that there-- it's going to become even more

1 clear, right, because there's a lot of funding out
2 there, and my team together with, you know, my
3 colleagues here around the table, we're looking at
4 all the opportunities. There's a lot of funding
5 coming out of IRA, the EPAGHC [sic] fund, the CPC
6 funds, so we're watching every single opportunity.
7 We're trying to figure out how to go after it. We've
8 gotten quite a bit of it through the Weatherization
9 Assistance Program. You know, there's funding that
10 comes from the state and we match. We also finance
11 through the Energy Performance contracts and
12 partnership with HUD. So we're always very creative.
13 We got a letter of support from Ritchie Torres on the
14 Geothermal Grant that we applied for with the Federal
15 Government. We have a partnership with National Grid
16 that is demonstrating a thermal energy network. They
17 went public in the rate [sic] case, so that's out
18 there. That's-- what is it, 38 million dollars in
19 Vendelia [sp?] Avenue in Brooklyn. So, you know,
20 these are things that are, you know,-- they're small
21 on their own, but they add up and they're really
22 important. They're really important to our community.
23 so, you know, I think that it is a little bit easier
24 for me to go after this funding, because we've been
25

1 thinking about some of this work creatively and over
2 the years, and to the extent that we can bring that
3 value to our residents, it's really, really
4 important. But it's not done just by my team. It's
5 done in partnership and there's a lot of conversation
6 around how do we be strategic about going after this
7 funding.

9 SENIOR VICE PRESIDENT SINDERBRAND: And I
10 think that's a-- you asked a good question in terms
11 of support. so Vlada did not mention all of the
12 applications she's been working on, on behalf of the
13 capital group, but one of the challenges for NYCHA,
14 particularly for the federal applications is if
15 there's a local match, we're a federally funded
16 agency, and so we find ourselves in positions where
17 you have to apply for things maybe multiple years in
18 advance, and align it with our existing capital
19 program, and then you know, we really have to have a
20 local match that we can rely on, and that's something
21 we are very-- very cognizant of.

22 CHAIRPERSON AVILÉS: Yeah. No, and thank
23 you for pointing that out. I mean, I know these are
24 not without complexities, and clearly NYCHA's one of
25 the more complex entities because of its funding

1 structure and its actual structure. But I think the
2 point I hope you hear is that we want to be able to
3 support you, to support the authority to maximize any
4 pot that it can to ensure that we get the best and
5 fastest most effective services for the residents who
6 in many circumstances are living in unacceptable
7 conditions, just no other way to put it. And so--

8 CHIEF GREENBURG: [interposing] Yeah, we
9 agree.

10 CHAIRPERSON AVILÉS: So we thank you for
11 that.

12 SENIOR VICE PRESIDENT KENNIFF: I don't
13 think I gave credit to the Deputy Mayor Josey [sic]
14 of Operations. She's been supporting us also on many
15 of the applications. I have to give her credit.

16 CHAIRPERSON AVILÉS: Great. Well, thank
17 you. I think with that-- yeah. Yeah, I think--
18 yeah. We'll follow up with some other additional
19 questions later. Yeah, I think we'll turn to public
20 testimony. Thank you all for bearing with us through
21 these questions, and more to come. We will certainly
22 follow up on the things we've talked about today.

23 CHIEF GREENBURG: Appreciate it.
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

177

COMMITTEE COUNSEL: So, we'll be moving on to public testimony. We'll start with any members of the public who are here present, and then we'll move on to any members of public that are on Zoom. Our first panel will be Michael Ohora and Lonnie Portis, followed up by-- followed by Lavelle Shaw [sp?] and Christopher Morris-- my apologies-- Porrie [sp?], I believe. If you all want to make your way up to the desk, and then we can-- Start with Mr. Ohora. There'll be-- the Sergeant at Arms will have a timer, but we, you know, we will obviously-- the Chair will follow up with questions as she would like. You can go ahead, Mr. Ohora.

MICHAEL OHORA: [off mic] [inaudible]

CHAIRPERSON AVILÉS: Mic.

MICHAEL OHORA: Thank you. Thank you.
Am I good now?

CHAIRPERSON AVILÉS: You're good.

MICHAEL OHORA: Good afternoon. My name is Michael Ohora. I'm a second-year law student at the Elisabeth Haub School of Law Pace University in White Plains, New York. I'm an intern for the New York Environmental Law and Justice Project, also known as the Environmental Justice Initiative led by

1 Mr. Joel Kupferman. Regarding air quality at NYCHA
2 properties, I wish to specifically address the Jacob
3 Riis Houses. Located on the Riis property is a state-
4 run field site which has site code 231110. FEMA
5 resiliency construction activities at this site has
6 caused the soil to be greatly disturbed and become
7 piled up in front of the apartments and the windows
8 at the Riis properties. A 2007 report prepared for
9 Con-Eddison took soil samples from the Riis property
10 and arsenic levels were found to be two or three
11 times higher than the threshold level for the DEC
12 soil clean-up objectives in nine of the 12 samples
13 taken. Thus, NYCHA has notice of the alarmingly high
14 levels of arsenic and other heavy metals within this
15 development. NYCHA's failure to ensure that the soil
16 is covered means that children are playing in it.
17 The soil's running off into the sewers, people can
18 walk through it and bring it into their homes, and it
19 can of course be blown into the windows and air
20 conditioning units as it quite literally right next
21 to the apartments. We're exceptionally concerned
22 about the death of Ms. Josepha Bonet [sp?]. If I
23 mispronounced that, I apologize. She was a Riis
24 project resident who died in October of 2022 with
25

1 four times the acceptable level of arsenic in her
2 blood. Her physician, Doctor Rain [sp?], of Mount
3 Sinai made the prudent request to the state and the
4 city to have all Riis residents tested out of concern
5 following this patient's death, and failure to do so
6 is hiding the facts from Riis residents of what is in
7 the air that they're breathing. He wasn't asking for
8 an entire evaluation, just a simple 24-hour urine
9 collection which is standard for arsenic testing.
10 Inorganic arsenic is commonly found in rodenticides.
11 It doesn't degrade, and it can remain in the soil
12 indefinitely. NYCHA has not taken any initiative to
13 test Riis House residents for arsenic, lead, or any
14 other heavy metals. According to the World Health
15 Organization, the long-term health effects of arsenic
16 exposure include cancer, developmental effects,
17 diabetes, cardiovascular disease, adverse pregnancy
18 outcomes, and infant mortality. These air quality
19 concerns do not only impact the residents of Jacob
20 Riis House residents, they impact the health of
21 construction workers for the resiliency projects and
22 Riis employees. OSHA reached out to NYCHA as part of
23 the OSHA's Strategic Partnership Program and offered
24 to perform an inspection at no cost to NYCHA. They
25

1
2 agreed to this, and then pulled out of this. Had
3 they found anything, they do defer penalties to allow
4 NYCHA to remedy the situation, and they hadn't. The
5 New York State Constitution now says that all New
6 Yorkers have a right to clean air, water and healthy
7 environments. We are asking NYCHA to take this
8 crisis seriously. One death is too many. Thank you.

9 COMMITTEE COUNSEL: Thank you very much.

10 Lonnie Portis?

11 LONNIE PORTIS: Good afternoon. I'm
12 Lonnie Portis, the Environmental Policy and Advocacy
13 Coordinator at WE ACT-- excuse me-- WE ACT for
14 Environmental Justice. I'll try to keep my comments
15 here brief, however, WE ACT will be submitting a
16 detailed written testimony after this hearing. WE
17 ACT convenes a group of members living in NYCHA
18 developments to discuss and organize around the
19 various environmental health hazards that currently
20 exist in our homes and communities. NYCHA faces many
21 problems and challenges as we discussed today, most
22 of which are tied to the fact that it has been
23 chronically underfunded for years. As a result, the
24 New Yorkers who ran apartments in NYCHA developments
25 often have disproportionately endured environmental

1 challenges such as mold, lead, asbestos, and pests,
2 along with the substandard service in terms of
3 repairs and basic issues. according to a NYCHA
4 presentation given to Manhattan Community Board 10 on
5 January 23rd of this year, out of the approximately
6 40 billion dollars in capital needs for NYCHA, over
7 40 percent of that is estimated to-- is estimated for
8 remediating environmental health hazards like lead,
9 mold, and pests all of which negatively impact health
10 of residents, resulting in increased hospitalizations
11 and medical expenses. NYCHA residents deserve to
12 live in safe and healthy homes. Living in a healthy
13 environment is key to gaining social capital and
14 strengthening residents' physical and mental health.
15 That's why WE ACT is testifying in support of
16 Resolution 190 which would-- which calls for the New
17 York State Legislator and Governor to do their part
18 and invest in health and safety of NYCHA residents by
19 providing additional three billion dollars annually
20 to address capital needs resulting from decades of
21 dis-investment into its building stock. We all know
22 this type of neglect is considered unacceptable in
23 private housing. It should also be unacceptable in
24 public housing and the state must do right by public
25

1
2 housing residents. In addition, we strongly urge
3 this committee to hold an oversight hearing on
4 NYCHA's sustainability agenda which I quote says,
5 "Details-- the agenda details the commitments that
6 NYCHA will make over the next 10 years to improve
7 resident wellbeing and operate in an effective and
8 efficient landlord. This includes indoor air quality
9 issues as mold, pests, secondhand smoke, VOC-- which
10 are volatile organic compounds-- and lead." It's
11 been six years. This council the public and NYCHA
12 residents deserve to know how committed NYCHA has
13 been to their commitments that they stated in their
14 NYCHA sustainability agenda. Oversight and
15 accountability is key to improving the lives of
16 nearly 600,000 New Yorkers. Public housing residents
17 should not be an afterthought to elected officials at
18 the city, state, or federal level. There's no
19 environmental social or housing justice if public
20 housing residents are not included and prioritized.
21 Thank you again, Chair Avilés and Committee on Public
22 Housing, for allowing me to testify on such an
23 important matter to WE ACT.

24 COMMITTEE COUNSEL: Thank you. Lavelle
25 Shaw? [sp?]

1
2 LAVELLE SHAW: How are you? Thank you
3 for having me here today. My name is Lavelle Shaw.
4 I'm 26 years old. From what I gathered, the overall
5 objective of this hearing is to ensure the, you know,
6 the wellbeing of NYCHA residents, especially as it
7 relates to the housing. I personally have been
8 homeless since age 16 back in 2013, and I'm still
9 homeless now. I'm in transitional housing, which is
10 considered homelessness, where they're taking more
11 than 80 percent of my income, while permanent housing
12 is 30 percent of my income. It doesn't make any
13 sense. So I'm wondering what's to be done about us
14 millennials and Gen Z that are in record numbers
15 becoming homeless, and really not much is being done
16 about it but giving us the runaround.

17 CHAIRPERSON AVILÉS: So, thank you. Thank
18 you. Lavelle. Our last hearing, we actually talked
19 about vacancies in NYCHA properties in particular,
20 right? And we are in a serious situation around
21 that. We have the largest number of vacancies we've
22 ever had and a continued slowed process which is
23 partially attributed to-- from what is reported, the
24 type of repairs and abatement that has to be done,
25 and there's a-- then there's a big question mark,

1
2 which we did not receive adequate response from NYCHA
3 around why we are in this particular situation or at
4 least an explanation that tells us this percentage of
5 units are out of commission for this reason, this for
6 this reason, this for that reason. We have yet to
7 receive that information from NYCHA. But I will say
8 to your point is that correcting that situation is
9 urgent. We need every single one of those units
10 exactly for someone like you who deserve to be in
11 adequate housing, not only in NYCHA, but in New York
12 City on the whole. So your question I think is not
13 only related to that issue, but to New York City. I
14 think what you are saying here in your testimony, and
15 thank you for that, is to say what is this city doing
16 for its young people to ensure that we are in safe,
17 dignified housing, and we are clearly not doing
18 enough. And that's going to require this mayor to
19 fully invest in not only supportive housing, but the
20 housing-- low income housing in general, right? And
21 I say that very specifically because affordable
22 housing means a lot to a lot of people and it's
23 mostly unaffordable to New Yorkers. And so it's a--
24 the budget will be coming up and we will be fighting
25 about this budget around what the real commitments

1 are to low income housing, to affordable housing.

2 The policy commitments we're going to pa-- will we

3 pass laws that will actually help, or are we passing

4 fake laws that don't mean anything to real people,

5 right? And are we making sure that our agencies are

6 doing what they can? Do they have the workforce,

7 right, that they need? Is HPD, the agency that

8 manages much of the housing, is it fully staffed?

9 Does it have the inspectors that we need to make sure

10 that those units are okay? So there's an enormous

11 amount of work to be done in this area, and I'm sorry

12 that our city is failing you, and we are here working

13 to fix that. I wish I had a silver bullet to say

14 we're going to change your condition tomorrow. I

15 unfortunately do not, but I would love to continue to

16 talk to you after this hearing and thank you again

17 for your testimony. I just wanted to-- I'm sorry,

18 get to Mr. Ohora, if you-- is that your name? Did I-

19 -

20
21 MICHAEL OHORA: It's Ohora.

22 CHAIRPERSON AVILÉS: Ohora, apologies.

23 We've got a back track record here with names today.

24 Apologies, sir. Could you talk to me a little bit

25

1
2 about some of the more alarming elements that you've
3 seen in your testimony?

4 MICHAEL OHORA: Certainly. I think the
5 most alarming thing is that the Doctor of the woman
6 who died in the Jacob Riis Houses with this arsenic
7 exposure, he did his due diligence. He reached out
8 to the City and the state and told them that the
9 arsenic may have played a role in this woman's death
10 and he was ignored. The New York City Health
11 Commissioner in a letter, which I have with me, told
12 him it's their diet. It's the shellfish. It's the
13 seafood that they're eating and he's ignoring this
14 publicly available data of the arsenic levels in the
15 soil. It's almost a complete avoidance of NYCHA's
16 responsibility to provide a safe, healthy environment
17 for folks to live in and we really don't know how
18 widespread this issue is because no testing has been
19 done. There's been calls for this, but NYCHA has not
20 acted on this at all.

21 CHAIRPERSON AVILÉS: That is in fact
22 quite frightening. I will say for the record, and
23 obviously our condolences to the family, and you
24 know, it is still yet a mystery why-- why NYCHA has
25 not purchased these little air majiggys [sic], why it

1
2 has not allowed people to get tested to calm their
3 sensibilities around whether it's the water or
4 something else than arsenic, while they will say
5 that, you know, obviously they have testified there
6 was no arsenic in the water, yet residents don't
7 trust it for very clear reasons. We have an enormous
8 amount of work to do, but thank you for that. And
9 obviously, we would demand that not only NYCHA, that
10 every city and state agency that is dependent on
11 public dollars respond to the public good and respond
12 to the residents that actually make the government
13 work. They have a responsibility to do that. So
14 thank you for the work that you're doing, and we'll
15 continue this fight. We appreciate you.

16 COMMITTEE COUNSEL: Thank you to that
17 panel. I'll call the next panel. Christopher Morris
18 Perry [sp?], Annette Tumlin [sp?], Marquis Jenkins,
19 and Laura Lugo [sp?]. If you could all-- anyone
20 who's still here could come up to the-- Mr. Morris
21 Perry, you can go ahead.

22 CHRISTOPHER MORRIS PERRY: Hi. Thank you
23 for having me. And thank you, NYCHA, for staying,
24 because I went to a committee meeting yesterday and
25 after it was over with, they all left the room. It

1 just shows their seriousness. People don't take it
2 too serious. I'm a little bit nervous when I'm
3 speaking in public as you guys can tell, but my
4 passion for change overrides that. I'm just trying
5 to figure out. We hold a NYCHA meeting here, but
6 it's no NYCHA residents in the back of me. So I'm
7 trying to figure this out here. You understand? I'm
8 also-- this just seem like a case of the police
9 policing the police. Everybody's passing the blame
10 on each other. The chickens could never come home to
11 roost if this is continuing to happen. These
12 problems are not new. They've been going on for
13 quite some time, so excuse me for my frustration, you
14 understand? I want to bring up something else before
15 my time expire. I am going to ask for some more
16 time, because it's going down very fast. It's a
17 stipulation in the Section 8 NYCHA agreement. That
18 woman, and I'm talking about the elephant in the
19 room, that black woman cannot have no man in their
20 house while they're getting NYCHA-- while they on the
21 NYCHA program, you understand? And after the Great
22 Depression, Franklin D. Roosevelt, he came up with
23 these programs to help the country and the economy.
24 And in-- it was about 92 white residents,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

predominantly these projects was for-- they was developed for white citizens, and they was allowed and all they get their Section 8, they had to be married. They had to have a marriage certificate, you know, to get-- the qualifications to get NYCHA. Now, today, it's the opposite. You know? You can't have no man in the home, and if you don't believe what I'm saying, go back and check the history because I'm a history scholar. You understand? And pardon my frustration, but this hurts. I hate seeing my community which is the black community been [inaudible] and neglected for so long. Nobody talks about it. Nobody cares about it. I'm tired of it, and it have to stop. Thank you. I'm done.

CHAIRPERSON AVILÉS: Mr. Morris, thank you for your testimony.

CHRISTOPHER MORRIS PERRY: Thank you.

CHAIRPERSON AVILÉS: I--

CHRISTOPHER MORRIS PERRY: [interposing] I don't want to be disrespectful.

CHAIRPERSON AVILÉS: No, that's okay.

CHRISTOPHER MORRIS PERRY: I can come back and speak, I'm just upset. This brings me tears.

1
2 This what keeps me up at night? This is what drove
3 me to run for City Council.

4 CHAIRPERSON AVILÉS: Well, I just want to
5 thank you for your testimony. Your outrage is well
6 placed.

7 CHRISTOPHER MORRIS PERRY: Thank you.

8 CHAIRPERSON AVILÉS: If this wasn't the
9 case, we wouldn't be sitting here at this hearing,
10 and we wouldn't be doing this work to hold folks to
11 account, right? Both the agency, the City Council,
12 the Mayor, everyone--

13 CHRISTOPHER MORRIS PERRY: [interposing]
14 Absolutely.

15 CHAIRPERSON AVILÉS: is responsible for
16 this.

17 CHRISTOPHER MORRIS PERRY: Right.

18 CHAIRPERSON AVILÉS: From the federal to
19 the state level, right? Which is why we put forward
20 the Resolution today, right? To demand that the
21 Governor actually pay attention to public housing
22 residents and invest in it. Like, we have half a
23 million people in public housing who are New York
24 State residents and deserve that investment. So your
25 outrage is shared here for sure.

2 CHRISTOPHER MORRIS PERRY: Thank you so
3 much. I appreciate it.

4 CHAIRPERSON AVILÉS: And we will look
5 into-- we will look into that awful disgusting
6 provision. If we can find it in the books, it is
7 unacceptable, I agree.

8 CHRISTOPHER MORRIS PERRY: Okay. And I
9 can submit some documentation regarding that.

10 CHAIRPERSON AVILÉS: Absolutely.
11 Absolutely. Thank you for that.

12 CHRISTOPHER MORRIS PERRY: Thank you.

13 CHAIRPERSON AVILÉS: You're a welcome
14 voice.

15 COMMITTEE COUNSEL: Having no other
16 public witnesses in the room today, we'll move to the
17 Zoom. First person on Zoom will be Christina Chase
18 [sp?], and then Ms. Elden, we'll call you after.
19 Christina chase, you should be receiving an invite to
20 unmute shortly.

21 CHRISTINA CHASE: Hi, good evening. Can
22 you hear me okay?

23 CHAIRPERSON AVILÉS: Yes, we can.

24 CHRISTINA CHASE: Okay. I was just with
25 you guys actually, but I have a newborn home-- at

1 home, so I just went home. Thank you for everyone
2 who stayed. My name's Christina Chase, and I'm a
3 resident of [inaudible] Houses. I don't even know
4 where to begin. There's so much that I just learned
5 today during the meeting, but my first concern is the
6 lack of oversight of contractors. In 2015, my
7 building, we experienced an asbestos abatement of our
8 roofs. I'm on the top floor which is the sixth floor
9 and all of that debris fell into my home, into my air
10 conditioner which I still have, actually. So I have
11 no idea what particles I'm still breathing in till
12 this day. But I have-- and I have photographs to
13 substantiate the fact that all of this debris did
14 fall into our homes and into air conditioners, and so
15 I think it's important for us to rethink what
16 oversight looks like of these different contractors.
17 The same thing goes with asbestos abatement of the
18 apartments. Right next door, all of that exhaust is
19 going into the hallways where there's no window, so
20 there's no one keeping contractors accountable. And
21 a piece of paper to let us know that this work is
22 being done is not enough. We don't know the
23 consequences of these abatements as residents, and we
24 should be fully informed. The second thing I wanted
25

1 to bring up is although we did recently undergo a new
2 ventilation system, the upkeep hasn't been as NYCHA
3 says. For example, the dates that we were told a
4 worker was going to come and clean those vents,
5 people took the day off and waited and no one ever
6 came. This is not a first with NYCHA, but it's
7 becoming unacceptable, particularly under the guise
8 of them changing an act that is still the same. And
9 so I guess I just wanted to second someone else's
10 assertion that there should be a random third-party
11 testing of indoor air and outdoor. And then I think
12 Councilwoman Avilés, you brought this up, the light
13 towers that are used to provide lighting during
14 scaffolding and/or the police light towers that are
15 used to compensate for broken exterior light are
16 responsible for diesel emissions that are
17 complicating respiratory issues for youth and for
18 elders, as well as, you know, people my age, in
19 between. I think that those have to go and there
20 needs to be some kind of stipulation saying that
21 contractors are no longer allowed utilize those, and
22 we have to come up with like a plan b. I don't know,
23 but as a person with a newborn--

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SERGEANT AT ARMS: [interposing] Time expired.

CHRISTINA CHASE: I can't sit idly by while I can actually inhale and smell the exhaust coming from these light towers. And then lastly, I wanted to speak to the fact that I didn't know until today's meeting the negative consequences of using temporary boilers. I'm still learning this myself. I'm a person with a Master's Degree. It has nothing to do with education level. It's about access to information. And so I'm curious as to how we can hold NYCHA accountable for A, using these temporary boilers, but B, informing residents of the negative consequences of these temporary solutions for problems that have existed for decades. And I guess that's all I have to say as of now, but I'm here for any questions.

CHAIRPERSON AVILÉS: Thank you so much, Christina, for your testimony and sticking around for this hearing. Can you remind me what development you're in?

CHRISTINA CHASE: I'm in Ravenswood Houses in Queens.

1 CHAIRPERSON AVILÉS: Ravenswood, got it.
2
3 Yeah, you're next to the giant NRG plant.

4 CHRISTINA CHASE: Yes, so we are known as
5 "Asthma Alley" already. And I know that there's only
6 so much that NYCHA can do from other institutions
7 responsible for air pollution, but I'm here
8 [inaudible] maybe there are things we can do
9 immediately to address it on our different
10 developments.

11 CHAIRPERSON AVILÉS: Can you tell NYCHA
12 two things-- that they are here in the room. They
13 have stayed and they have been staying at every
14 hearing which I am very appreciative of, to listen to
15 this testimony which is really important. Can you
16 give us two concrete things you think would help to
17 make a difference that they could do for residents
18 in--

19 CHRISTINA CHASE: [interposing] Yes.

20 CHAIRPERSON AVILÉS: this area?

21 CHRISTINA CHASE: I mean, you just sort
22 of reminded me. I mean, well first, there's actually
23 informing residents of what they can do if they see
24 any issues. I know it's already information overload
25 with the different flyers, but I don't think that

1
2 people fully understand. Also, I think having someone
3 within the management office that can be responsible
4 for these kinds of complaints or grievances, because
5 a lot of time calling a number or even emailing can
6 be a bit daunting, whereas some folks are old-school
7 and prefer to just go in-person to say something. But
8 that leads me to my next point. When we were
9 discussing work orders during the hearing earlier, I
10 don't think fully understand the work order reform
11 that NYCHA has undergone in the last few years.
12 Specifically, residents don't know that you have to
13 call the Neighborhood Planning Unit to make an
14 appointment for say an exterminator. So, if a ticket
15 is created saying that this resident needs an
16 exterminator, a lot of residents they think it's like
17 the old system where once the ticket's in, NYCHA's
18 going to come. A lot of them don't know that once
19 that ticket's made, that it's up to them to call the
20 Neighborhood Planning Unit and create that-- to
21 schedule that appointment. Moreover, people in the
22 management office, the front desk workers, do not
23 fully understand that. And so when residents come in
24 with particular issues with contracted labor that
25 have to go through the Neighborhood Planning unit,

1
2 the staff persons don't know where to point
3 residents, and so I think there needs to be training
4 for staff persons to understand how to deal with
5 capital complaints and the different forms of labor
6 and how they're-- how maintenance is not the same as
7 a Neighborhood Planning Unit.

8 CHAIRPERSON AVILÉS: Thank you so much,
9 Christina, this was very helpful, and I absolutely
10 100 percent agree with that. Thank you for your
11 testimony.

12 CHRISTINA CHASE: Thank you.

13 COMMITTEE COUNSEL: The next witness on
14 Zoom will be Beverly MacFarland, and then we'll hear
15 from Dana Eden-- Elden, rather. Ms. MacFarland,
16 you'll be receiving an invite to unmute yourself.

17 SERGEANT AT ARMS: Time starts now.

18 BEVERLY MACFARLAND: Yes, my name is
19 Beverly MacFarland. I am the resident Council
20 President for Taft, Senator Robert A. Taft Houses in
21 East Harlem. It's just daunting how the residents
22 have testified today because we have an-- NYCHA has
23 an active consent decree that they have not yet
24 filled the obligation of their-- that decree, but yet
25 our local officials dropped the ball and had put this

1 Trust into place knowing there's negative impacts of
2 this trust for our development-- the developments.
3 At my developments, we are responsible to train,
4 educate our residents. NYCHA have left our residents
5 association leadership, too. It's like doing their
6 job. We are here educating and posting flyers for
7 things that they're doing. It's just-- it's just
8 daunting, you know. I'm not understanding why the
9 elected officials like our Governor as well as our
10 Mayor is giving public money to private entities as
11 PACT and RAD and now the Trust. This is upsetting
12 and it doesn't make any sense to me. Why is our
13 public dollars not being sent over to our Section 9
14 program? Why are they not saving Section 9? Because
15 that is the only low-income housing mechanism in our
16 city today, and we-- the problems that we having
17 right now in homelessness. We're affordable housing,
18 but housing affordable to whom? And we all know-- we
19 have these lottery that they-- you got to have almost
20 100,000 dollars to be affordable housing. NYCHA is
21 the only-- public housing is the only entity in our
22 city that will save our-- that we can save our home
23 as working New Yorkers, but yet, the gov-- the
24 politician-- some elected officials, assembly people,
25

1
2 and some of our City Council have dropped the ball
3 and allowed NYCHA now to get a private entity inside
4 the NYCHA, which is like a management company which
5 is the Trust. It just seems like the-- this entity
6 of the Trust is illegal, has been illegally formed,
7 because based on if they have an active consent
8 decree based on the 964, they were not supposed to
9 have-- go into any other housing--

10 SERGEANT AT ARMS: [interposing] Your time
11 is expired.

12 BEVERLY MACFARLAND: Can I continue?

13 CHAIRPERSON AVILÉS: Go ahead, Ms.

14 MacFarland [inaudible]

15 BEVERLY MACFARLAND: So thank you, Chair.
16 Any entity based on the 964, the 960 regulations I
17 believe is Section 18, that if they have the active
18 consent decree, they were supposed to satisfy that
19 before they go in and ask any government agency to go
20 into another program, and the mismanagement of the
21 monies an no one ever was accountable for the missing
22 money, it just doesn't make any sense. But I yield
23 the floor. Thank you.

24 CHAIRPERSON AVILÉS: Thank you so much,
25 Ms. MacFarland.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

200

COMMITTEE COUNSEL: Ms. Elden, you should be getting an invitation to unmute yourself.

DANA ELDEN: Thank you. Thank you again for letting me speak again, and I wanted to touch base on what the housing panel was speaking on in regards to the testing when you asked them about air qualities and such. So, for my development there was someone, I don't know from what agency. I'm assuming it was the EPA who came and took a roof sample. I don't know which building they took it from, but the major issue here with the roof replacement is that for 15 months one of our buildings had a broken water tank on top. So it destroyed the structure of the roof, and in fact the contractor that did the roof tank, water tank, and replaced it had to shore up the roof so that the workers could replace the panels to the water tank for a new water tank. Also, it was discovered that many of the apartments, or one particular apartment underneath the water tank which was 21E was destroyed. So the resident had to be transferred out immediately. If you walked in the apartments, the water will come up through the tiles. There were plants growing out of walls and the floors. The ceiling was almost due to collapse. So

1 there were numerous issues in that one building. so,
2 yes, there is a question as to how they're going to
3 take apart that roof when there was so much damage
4 done over a 15-month period of having a busted after
5 tank, and I am fearful since it is the first building
6 that they're going to do, as to how that's going to
7 work out. And if there will be any daily testing of
8 air around the building and inside the building as
9 they take apart that roof, because it's a piece--
10 it's not even a level piece that you could say maybe
11 12 by 12 section. The roof is genuinely in pieces,
12 and this is why we've had so many problems with
13 leakages through the building and mold in some cases.
14 And I have pictures of a couple of the apartments
15 that were affected by that water tank leak. However,
16 I'm concerned where the panel from NYCHA says that
17 there's all kinds of funding available, but are this--
18 - is this funding for Section 9? We are a Section 9
19 development and do not intend our converting to
20 Section 8.

22 SERGEANT AT ARMS: Your time is expired.

23 BEVERLY MACFARLAND: We have 210 Section
24 8 residents and the predominant are Section 9. We
25 have a 1,007 apartments. So this is a Section 9

1
2 development, and having the funding to complete this
3 work, which I know that they have not foreseen in the
4 future as far as cost will be available. And of
5 course, there's other funding they need to be
6 available for Section 9. That is public housing.
7 That is public housing, Section 9. And what is done-
8 - and at RAD and PACT, that's somebody else's
9 business, but my business, my concern is for the
10 residents of St. Mary's Park [sic] Houses. That is a
11 Section 9 development, and that we get exactly what
12 we need after being ignored for so many years since
13 the time the building was built. And I thank you.

14 CHAIRPERSON AVILÉS: Thank you so much,
15 Ms. Elden. Thank you for your patience and all your
16 work. And we will follow up on the air monitoring
17 regarding whether it's going to be a continuous air
18 monitoring at that site and where those locations
19 will be. So, we'll be in touch. And with that, our
20 hearing today concludes. I think what we have seen
21 is there is enormous work that has been done,
22 clearly, as one of the residents pointed out on the
23 consent decree. Improvements in many areas, and many
24 areas that still require enormous work to be done,
25 but rest assured the residents are monitoring every

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

single day and we will hold each other to account,
myself and every other elected official, every person
that works in every agency to make sure that we do
the best by our residents and mitigate these harms,
remove the harms. So, thank you, again, for your
patience, and for being here and for your care for
public housing. Thank you so much.

[gavel]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMITTEE ON PUBIC HOUSING

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 9, 2023