

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND  
MARITIME USES

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

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:

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

## APPEARANCES (CONTINUED)

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

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

4 [gavel]

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

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

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

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

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

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

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

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

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

22 ACTING CHAIRPERSON ARROYO: 175

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

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

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

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

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

25 ACTING CHAIRPERSON ARROYO: So

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

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

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

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

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

25 ACTING CHAIRPERSON ARROYO: And no

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

3 LARAY BROWN: [Interposing] No, no.

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

9 MALE VOICE: [off mic]

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

12 MALE VOICE: [Interposing] - - .

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

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

25 LARAY BROWN: The NYCHA's role is

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

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

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

23 COUNCIL MEMBER PALMA: Thank you.

24 LARAY BROWN: You're welcome.

25 ACTING CHAIRPERSON ARROYO: Any

1  
2 other questions? Council Member Halloran?

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

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

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

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

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

18 COUNCIL MEMBER HALLORAN: Okay.

19 Thank you. I appreciate it.

20 LARAY BROWN: Thank you.

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

25 [gavel]

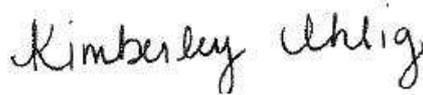
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ACTING CHAIRPERSON ARROYO: Members  
of the Landmark Committee, we have been informed  
we are going to convene tomorrow at 9:30 at City  
Hall in the Committee Room to vote out the last  
item that we discussed today. It's a new meeting  
- - . See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

C E R T I F I C A T E

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

Signature

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