

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON PUBLIC HOUSING

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Start: 1:14 pm

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HELD AT: Council Chambers  
City Hall

B E F O R E:

ROSIE MENDEZ  
Chairperson

COUNCIL MEMBERS:

Speaker Christine C. Quinn  
Lewis A. Fidler  
Miguel Martinez  
Letitia James  
Robert Jackson  
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## A P P E A R A N C E S (CONTINUED)

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Chairman  
New York City Housing Authority

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Assistant Deputy General Manager for Support Services  
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Harry Vyas  
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Donald Arnold  
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Ruben Torres  
Secretary-Treasurer  
Teamsters Local 237

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

Carolyn Stem  
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Special Counsel  
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Lisa Burriss  
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Side

Joseph Garber  
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CHAIRPERSON MENDEZ: This hearing will come to order. Good afternoon, my name is Rosie Mendez, I am the Chair of the Subcommittee on Public Housing for the New York City Council and I am joined today by my Speaker, Christine Quinn. Today, we are having a hearing on the state and condition of elevators in the New York City Housing Authority. As we--many of us know this has received much attention recently when on August 19th, 5-year-old Jacob Neuman jumped from a stuck elevator and fell back into the elevator bank and died. Several months after that, emergency workers were trapped in an elevator with an 11-day-old infant on October 10th, they were able to pry the elevator open, they got the child to--the infant to the hospital, but, unfortunately, the infant passed away. There have been in this committee many testimony about broken elevators in buildings throughout the New York City Housing portfolio and more recently I read today in the New York Times that there is a 20% satisfactory ratings on the inspections of elevators. I'd like for the Authority to explain what satisfactory ratings are and to tell us about

1 the 3,335 elevators that are located within New  
2 York developments throughout the five boroughs.  
3 I'd also like to raise issues as I've been  
4 informed about a tenant who, trying to initiate  
5 some self-help, lives on the top floor and crosses  
6 the roof to another building where there is a  
7 functioning elevator and has been given trespass  
8 summonses and I know it's unlawful to be on the  
9 roofs, but I think we need to look at some of  
10 these cases and try to have a little discretion.  
11 I look forward to having a discussion about that  
12 with the Authority separate and apart from this  
13 hearing. And now I want to give the microphone to  
14 my Speaker, Christine Quinn.  
15

16 SPEAKER QUINN: Thank you. And  
17 thank you very much, Rosie--I'm sorry, Chair  
18 Mendez, for convening today's hearing. First,  
19 before I make some opening comments on the topic  
20 of today's hearing, I want to thank you, Chairman  
21 Hernandez, Doug, former Council Member Margarita  
22 Lopez, and the rest of your staff. I guess two  
23 weeks ago now we had a town hall meeting at the  
24 Fulton House is in my district where there was  
25 recently a very tragic fire and--[clears throat]

pardon me--a family lost and I just want to thank all of you, particularly you Margarita, who helped in with Spanish translations and it was a very important and, I think, powerful town hall meeting and I just want to thank you very much for making so many of your staff available for so many hours that evening. Let me, of course, as Chair Mendez did, begin my comments today by extending my condolences to the families of 5-year-old Jacob Neuman and 11-day-old Christian McFadden. And as we move forward in today's hearing, I know this is true for the Council and everyone who works at the Housing Authority, we want everyone to know that they and all of the families who live in public housing are very much on our minds during this hearing and during these budget crises. You know, from Wall Street to Main Street people are looking for ways to make ends meet and we in government are no exception. City agencies have been asked to make cuts of 2 1/2 percent to their budgets this year and 5% next year. And while there is never a good time for an economic crisis, the truth is that the situation could not have come at a worse time for our New York City Housing

Authority. As we all know, NYCHA is facing a budget gap of at least \$170 million this year and approximately \$200 million in subsequent years. This is in no small part because the Bush Administration has been funding NYCHA at only 83 cents on a dollar and for some of the facilities that are state and city facilities, we in the state and city haven't done enough on the funding level either. The worst part about this situation is that, in my opinion, we don't have a fully comprehensive plan to close this gap although steps have been taken. As I said at the hearing on Housing Authority's budget in the spring, I did not believe that we had a concrete plan and that without such a concrete plan we could find ourselves in a situation where budget problems could lead to deterioration in the quality of life for residents in Housing Authority development. It's clear to me that sadly that day has come. To make up for the shortfalls in funding, NYCHA has made impossible decisions. NYCHA has been forced use capital funding to cover expense bills. That money could have been used for maintenance of elevators, but it wasn't. It could be going to

1  
2 increase security measures, but it hasn't. It  
3 could be going upkeep in buildings, but it isn't.  
4 I want to be clear, I am not laying the blame at  
5 anyone's feet because the truth is there is enough  
6 blame to go around to all levels of government  
7 about the state that our Housing Authority's  
8 budget is in right now. We all have a  
9 responsibility to find a way to pull NYCHA's  
10 budget together. That need is most clearly shown  
11 right now as it relates to the state of our  
12 elevators. You know, right now there's an  
13 emergency discussion about the state of our  
14 elevators, but the truth is I first started  
15 working in Chelsea in 1992 for Tom Duane and in  
16 1992 there were complaints a mile long about the  
17 state of elevators in the Fulton Houses and the  
18 Elliott Chelsea Houses, so this is a problem that  
19 has gotten worse and has now reached a crisis  
20 level at a time when we are also in a funding and  
21 economic crisis. And while the news in today's  
22 papers about additional funding in the elevator  
23 area, it's news we are very, very grateful for,  
24 but it also raises the question of given the  
25 overall financial problems of Housing Authority,

1 where did that money come from and what things was  
2 it redirected from. We need all of us at the city  
3 level to make sure that we do everything we can on  
4 the city level, the state, and federal level to  
5 make sure that public housing doesn't become a  
6 euphemism for substandard or unsafe housing. I  
7 know everyone at the Housing Authority shares that  
8 goal and today's hearing is another step to move  
9 to that place where public housing never again  
10 hopefully will be thought of or feared as unsafe  
11 or substandard housing and I want to thank  
12 everyone for being part of today's hearing and for  
13 the announcements that were made in the paper  
14 today.  
15

16 [Pause]

17 CHAIRPERSON MENDEZ: I would like to  
18 add that we were joined by Council Member Lew  
19 Fidler from Brooklyn. And I will turn it over to  
20 the Authority and if I could just remind everyone  
21 to identify yourselves for the record.

22 [Pause]

23 TINO HERNANDEZ: Good afternoon.  
24 Madame Speaker, Chairwoman Mendez, members of the  
25 City Council, I'm Tino Hernandez, Chairman of the

New York City Housing Authority and joining me this afternoon are Doug Apple, General Manager and Brian Clarke, Assistant Deputy General Manager for Support Services, and we're here to discuss NYCHA's elevator inspection and maintenance program. I want to yet again echo the Speaker's remarks and also personally express our condolences on behalf of the Housing Authority for the loss of the children to the Neuman and the McFadden family. [Pause] I'd like to thank the City Council for holding this hearing today and allowing us to explain this important issue. We look forward to working closely with the City Council in implementing an action plan for our elevators. As you know, NYCHA oversees a large and complex system that provides housing for 403,000 low and moderate income New Yorkers. We manage 343 developments containing 178,000 apartments and community facilities in 2,636 residential buildings throughout the five boroughs. The Housing Authority can be likened to a city within a city. In terms of our sheer size, NYCHA would rank as the 19th largest city and like in any city, tragedies sometimes occur. When they

do, NYCHA's goal is to learn from them, take actions to prevent them from reoccurring going forward, and to reassure our residents, staff, and the public that safety is one of our highest priorities. Given the recent scrutiny of NYCHA's elevator program, I am appreciative of this opportunity to provide an overview of our elevator operations. For context, let me provide an overview of the structure of NYCHA's elevator operations, then I will describe the management initiatives we have undertaken to ensure the quality of this fundamental service to our residents and our action plan going forward. NYCHA is responsible for 3,335 elevators throughout the city. This represents approximately 5% of all the elevators in New York City and we estimate that the number of trips taken in our elevators is over 1.7 million each day, on average, transporting hundreds of thousands of people. Our mission with regard to elevators is threefold: to provide safe and reliable service, to respond to elevator emergencies and outages, and to ensure elevators operate in compliance with all applicable codes

and regulations. NYCHA has a highly developed system for maintaining and inspecting its elevators with both centralized and borough staff of approximately 400 employees. There are three main components of NYCHA's elevator operations: a centralized elevator division that performs Local Law 10 elevator inspections, major elevator repairs, elevator modernizations including the remote monitoring of elevators, and oversees NYCHA's state-of-the-art elevator training facility. We have borough-based NYCHA staff who perform day-to-day operations such as preventive maintenance work, routine repairs, and responding to outages and essential emergency services division that responds to elevator outages after normal business hours and on weekends and holidays. NYCHA has always invested in its buildings in major systems including elevators. In the past decade, NYCHA has spent over 200 million to replace over 2,000 elevators--two-thirds of the total number of elevators we operate. In addition to the capital work and recognizing that we needed to continue to improve elevator operations, in 2005 NYCHA began

implementing a series of technology initiatives.

This include a centralized call center for resident complaints and the Remote Elevator Monitoring System, known as REMS, which allows staff to view any reported elevator complaint from a computer so that the complaint can be addressed more efficiently. REMS systems are already in operations in 920 elevators at 57 developments.

[Pause] In the late summer of '07, NYCHA's senior management team also initiated efforts to improve the quality of elevator service by focusing on preventive maintenance and reducing outages using NYCHA's Agency Productivity Tracking System, or APTS, a COMPSTAT-like process which monitors agency performance on a biweekly basis, including elevator operations. This focus resulted a number of improvements in fiscal year '08 as compared to fiscal year '07, including a 7% reduction in elevator outages across the city, a 28% increase in preventive maintenance, a reduction in the number of elevator outages in '08 in 40 out of 58 of the most impacted developments, a reduction in time to repair outages at 127 developments, a reduction from 80 to 56 in the number of

developments that were averaging more than 12 hours to restore elevators to service. [Pause] A key component of our elevator operations is inspection, so let me now describe our elevator inspection program in detail. NYCHA and the Department of Buildings have an agreement dated back to 1991 that authorizes NYCHA as a DOB licensed elevator agency to conduct Local Law inspections on their behalf. NYCHA conducts mandated elevator inspections every six months. NYCHA also conducts the mandated 2-year and 5-year tests. NYCHA utilizes 12 inspection teams, with each team comprising of a licensed inspector in a elevator mechanic title working as a mechanic's helper. [Pause] Elevator inspection teams report to a central elevator division exclusively as an integrity measure and are responsible for inspections and not routine maintenance. NYCHA is required to conduct approximately 7,000 elevator inspections annually. [Pause] NYCHA currently electronically reports the results of these inspections, either satisfactory or unsatisfactory with the number of deficiencies, to the DOB on a weekly basis. The DOB-mandated 69-point

inspection checklist covers everything from janitorial conditions in the mechanical room to a call button not working properly to more serious conditions, such as defective brake assemblies. Any single item that is checked on this list will result in an unsatisfactory rating for that elevator. We report those findings to DOB and, for each deficiency that is identified, a work ticket is created directing staff to make the needed repair. NYCHA is required to remedy that deficiency within 40 days. [Coughs] Excuse me. [Pause] As part of its oversight, DOB randomly conducts inspections or audits of about 12% of NYCHA's elevator inspections soon after we conduct them. Any deficiency identified by DOB, even if previously identified by NYCHA, results in a violation. DOB issued violations often give the impression that these violations are in addition to the already identified ones by NYCHA, when in fact, the DOB is just verifying reported violations. DOB reviews found that their, the audits' findings agreed with NYCHA inspections 89% of the time, which is on par with private owners. From January to mid-October 2008, 6,620

inspections were performed and, of these, there were only 29 cases when an elevator was deemed unsafe and taken out of service. This is less than one half of 1%. In those cases, the conditions must be corrected as soon as possible and re-inspected. Starting last month, NYCHA and DOB improved upon the reporting process to ensure that timely data is provided to DOB. We're also now doing all inspections utilizing handheld devices, allowing for timely transfer of inspection findings to staff who handle repairs. It also allows us to improve our tracking of inspections and remediation of deficiencies.

[Pause] Beyond ongoing inspection and maintenance, NYCHA is implementing an aggressive action plan designed to further improve elevator operations going forward. In this regard, NYCHA will immediately implement the focus strategy to reduce elevator outages in 50 complexes with outages more than double the Authority-wide average by hiring additional staff to perform targeted preventive maintenance. [Pause] We will allocate \$107 million for elevator modernization jobs and replace 500 to 550 elevators at 30 to 35

developments over the next five years, based on bids, and we will increase funding by 5 to 6 million for staffing and inspection contractors. NYCHA will also create a formal quality control program to review the inspection results, perform condition audits, and develop detailed reports for review by senior management. We will implement the public awareness campaign entitled, If You See It, Report It, stressing the importance of being proactive in reporting problems at developments to NYCHA's centralized call center. This will-- campaign will include vandalism report card to show that residents--to inform residents about elevator vandalism, which accounts for nearly one-third of all outages. [Pause] We will expand our remote elevator monitoring system from--to 722 additional elevators over the next few years. About one-third of NYCHA's elevators, 920, already have remote monitoring, and we will install CCTV at another 72 buildings at 28 developments by the end of 2009. CCTV is currently in place at 400 buildings at 54 developments. [Pause] Additionally, NYCHA will contract with an independent third party witness--independent third

party to witness our mandated inspections, consistent with new building code requirements, effective January 1st, 2009. We will bring in industry expert to review NYCHA's overall elevator operations and to make recommendations by February 2009, and we will work with DOB and DOI to complete an external management review of elevator inspections and interagency coordinating processes. [Pause] Preserving public housing is our responsibility and our commitment. Ensuring that safety of the residents is an important part of our responsibility. NYCHA has for many years made elevator maintenance and upgrades a priority and, as outlined in my testimony, we will continue to do so. In fact, in the face of continued federal disinvestment of public housing, we continue to find the means and the methods to preserve this important asset, the home to over 400,000 New Yorkers. Moving forward, we will continue to work closely with residents, elected officials, our staff and all stakeholders to improve the quality of our elevators. I want to thank Mayor Michael Bloomberg and the City Council for their ongoing commitment to public housing.

During these challenging economic times and a changing political landscape, I agree with you, Madame Speaker, that we must all renew our efforts to work together to preserve this vital resource for many generations to come. Thank you for this opportunity to testify and I'm pleased to answer any questions that you may have. And if I may just make one more note, we are joined by Stephen Kramer, Special Counsel to Department of Buildings, who I believe is here in the audience.

[Pause]

CHAIRPERSON MENDEZ: We've been joined by Council Member Miguel Martinez from Manhattan, Council Member Tish James from Brooklyn and Council Member Robert Jackson from Manhattan. Madame Speaker, you have some questions?

SPEAKER QUINN: Thank you. You talk about on page four allocating \$107 million for elevator modernization and replacing 550 elevators at 30 to--500 to 550 elevators at 30 to 35 developments. Now the costs for replacing those elevators, I assume, is not included in the \$107 million for elevator modernization.

TINO HERNANDEZ: We had \$50 million

1  
2 budgeted, we're looking at our capital plan to  
3 make some reallocations. As you indicated, we're  
4 going to have to make some tough choices.

5 SPEAKER QUINN: So--but so the--how  
6 much is it going to cost to replace 550 elevators?  
7 'Cause that's different than the modernization,  
8 correct?

9 DOUGLAS APPLE: No, no they're  
10 actually--

11 SPEAKER QUINN: The same thing.

12 DOUGLAS APPLE: --really one and the  
13 same. The--

14 CHAIRPERSON MENDEZ: Please identify  
15 yourself for the record, sir.

16 DOUGLAS APPLE: I'm Douglas Apple,  
17 the General Manager of the New York City Housing  
18 Authority. Madame Speaker, the \$107 million is  
19 the funding necessary to replace--and these are  
20 estimates 'cause, as--

21 SPEAKER QUINN: Okay.

22 DOUGLAS APPLE: --you know, we have  
23 haven't done--

24 SPEAKER QUINN: So--

25 DOUGLAS APPLE: --bids and

contracts, roughly 500 to 550 elevators  
[crosstalk]--

SPEAKER QUINN: --so what you're  
actually allocate \$107 million for elevator  
modernization which will replace--

DOUGLAS APPLE: Correct.

SPEAKER QUINN: --'cause it sounds  
like two things.

DOUGLAS APPLE: No.

SPEAKER QUINN: It's not, it's one  
thing--

DOUGLAS APPLE: It's one and the  
same, yes.

SPEAKER QUINN: So you believe you  
can replace 500 elevators with \$107 million, that  
that's sufficient.

DOUGLAS APPLE: From bids we have  
seen recently, we see elevator cost--again,  
depending on the development, depending on a lot--

SPEAKER QUINN: Right.

DOUGLAS APPLE: --of variables  
between 200 and \$250,000 per elevator.

SPEAKER QUINN: Okay.

DOUGLAS APPLE: Now that's for a

brand-new elevator, all new parts, new electric systems--

SPEAKER QUINN: [Interposing] We're not buying used elevators.

DOUGLAS APPLE: No.

SPEAKER QUINN: Okay.

DOUGLAS APPLE: No. As well as the remote monitoring systems that we've talked about in our testimony, [off mic] the full package.

SPEAKER QUINN: Okay. And that \$107 million in capital money that you're moving over to this, where was that before? And I'm not criticizing the choice, but I think we need to understand, correct me if I'm wrong, that this isn't \$107 million of new capital money, you guys have had to make a choice to prioritize elevators over something else and I'm not criticizing that, but I think we need to understand that 'cause one could misinterpret this to think there's \$107 million of additional capital funds that you've come upon.

TINO HERNANDEZ: No, Madame Speaker, I mean given the disinvestment the federal government, as you were alluding to, and the

1  
2 limited resources that we have, we have to  
3 prioritize. I would say about \$50 million from  
4 the 107 million was currently in the capital  
5 budget slated--

6 SPEAKER QUINN: [Interposing] For  
7 elevators.

8 TINO HERNANDEZ: --slated for  
9 elevators.

10 SPEAKER QUINN: Okay.

11 TINO HERNANDEZ: We are now going  
12 through a process of reviewing our capital plan  
13 and having to make some tough choices because we  
14 do believe this is a priority and it's really an  
15 integral part of our core services. So we will  
16 identify the remaining \$57 million to be able to  
17 expedite some of the elevator projects that we  
18 have in the capital plan.

19 SPEAKER QUINN: And when will we  
20 know what projects are getting either de-funded or  
21 pushed out to future years to find that \$57  
22 million and when can we get a list of that?

23 TINO HERNANDEZ: We will do that for  
24 you, Madame Speaker, and for the Council  
25 expeditiously and we will be able to come back to

1

2 you with that information.

3

SPEAKER QUINN: Like--

4

TINO HERNANDEZ: We're going through

5

that process.

6

MALE VOICE: Capital budget [off

7

mic]

8

TINO HERNANDEZ: We have a--we

9

already have a capital budget that identifies the-

10

-

11

SPEAKER QUINN: Right, right.

12

TINO HERNANDEZ: --the \$50 million

13

and we're going through our capital budget process

14

right now, so it will be public in the short-term.

15

SPEAKER QUINN: Have you conducted--

16

so you--you're a little more than doubling, based

17

on the tragedies that have happened, you're a

18

little more than doubling how much you were going

19

to spend on elevators and, you know, coming from

20

other areas. Do you have any sense of what the--

21

which is--and whatever it is, it's more than you

22

have, but what the overall cost, if soup to nuts

23

we were going to upgrade every elevator that

24

needed to be upgraded, put every new elevator in

25

that needed to be put in, and assign the right

1 amount of maintenance every year, what's that  
2 total cost? I recognize it's more than you have  
3 in the capital budget, but I think it's critical  
4 that we conduct that review, that we know what the  
5 overall cost is because then all of us know what  
6 the real goal is we should be driving to and I  
7 fear that, you know, you had 50 in, now you have  
8 \$107 million in, I fear we don't actually have our  
9 hands around the entirety of the problem and if we  
10 don't have our hands on the entirety of the  
11 problem, we can't set about on a pace to fully  
12 address it.

13  
14 TINO HERNANDEZ: Yes, we can respond  
15 to that, as I indicated in my testimony we have  
16 been upgrading elevators and replacing elevators  
17 for over a decade. We're now going to do another  
18 round of them and maybe Doug can kind of walk you  
19 through--

20 SPEAKER QUINN: [Interposing] But  
21 see, Chairman, that--

22 TINO HERNANDEZ: --what would be the  
23 totality--

24 SPEAKER QUINN: --that's in-kind--

25 TINO HERNANDEZ: --of what it would

cost.

SPEAKER QUINN: --that's in a way my point, is, you know, we should have a state of good repair plan for all of the facilities in NYCHA, but let's just stick to elevators, right. A state of good repair monitoring program for NYCHA elevators and we should know on a regular basis in a transparent way, where the elevators are as it relates to the goal of state of good repair, which ones are so far off from that they need a major capital infusion, which ones are so far off from that they need to be replaced, and which ones have aged out to the point where, although they may look good--like some of us who are a little bit older--but they just can't keep being elevators and we have to take them out. Is there such a plan because if we knew that, we would know the floor every year needs to be--I'm making this number up--\$80 million and then you need X amount more. Do we have that master plan?

TINO HERNANDEZ: Sure, we have that plan. We--

SPEAKER QUINN: [Interposing] Where can we A, get it and--

TINO HERNANDEZ: Sure.

SPEAKER QUINN: --B, what's the total yearly cost to keep the elevators in a state of good repair, what's the yearly cost for replacements?

TINO HERNANDEZ: Okay. We do have that plan, we can provide it to you. We do have a capital plan, we do have, it's [crosstalk]--

SPEAKER QUINN: [Interposing] But the capital plan is different than the state of good repair plan.

TINO HERNANDEZ: Right.

SPEAKER QUINN: A capital plan is what you can fund. A state of good repair plan is what we need to keep things at the highest level, which we may not be able to fund, but at least then we're being honest about what else we need to go get resources for.

TINO HERNANDEZ: Yes, the end of my response was going to be that we have done a physical appraisal of all of our properties and all of our systems, so we do have quantitative information on that. We do have also information all of the elevators that have been replaced in

1  
2 rehabs and the one that we're targeting now. So  
3 we can provide you with an overall picture of what  
4 would be the cost or, as you're indicating, the  
5 state of good repair for the entire system.

6 SPEAKER QUINN: How many elevators  
7 age out in this fiscal year?

8 [Pause]

9 DOUGLAS APPLE: I'm sorry, Madame  
10 Speaker, let me, if I could just step back for one  
11 second, as the Chairman said, NYCHA undertook,  
12 really for the first time in its history, several  
13 years ago a comprehensive needs assessments of our  
14 2,700 buildings, 33--our entire portfolio of  
15 properties. That need assessment was done by an  
16 architectural and engineering firm, took more than  
17 a year and frankly is over a 10,000 page document  
18 'cause it documents for every single building,  
19 every single system and their current condition,  
20 the maintenance cost of those systems and what it  
21 would take on a lifecycle basis both maintenance  
22 and replacement. That document actually came up  
23 with some numbers, and we can certainly walk staff  
24 through that in great detail, but around a \$6  
25 billion capital need for public housing over the

next five years.

SPEAKER QUINN For elevators?

DOUGLAS APPLE: For everything.

SPEAKER QUINN: Okay. But if you--

DOUGLAS APPLE: [Interposing] So I  
just want to--so now let me talk about elevators--

SPEAKER QUINN: Right.

DOUGLAS APPLE: --specifically.

When we look at our elevators, and actually we've--  
-we can tell you with great specificity for every  
single elevator when it was installed, it's  
current maintenance history, its condition, and  
what we would predict to be its future lifecycle  
replacement. With what we've done in the last  
decade, plus what we're talking about here today  
doing over the next several years, we would  
estimate that the sort of unfunded need, if you  
funded it all in one year, was probably somewhere--  
-and these are very rough numbers--

SPEAKER QUINN: Right, no, I  
understand that.

DOUGLAS APPLE: --so I want you to  
understand--probably in the range of between 250  
and \$350 million.

SPEAKER QUINN: On top of the 107 or inclusive?

DOUGLAS APPLE: On top of the 107.

SPEAKER QUINN: So rough--

DOUGLAS APPLE: On top of the 107.

SPEAKER QUINN: --we're somewhere between--your back of the envelope number right now is that we're somewhere between \$400 to \$500 million needed to get the elevator systems and NYCHA to where they would be--should be and then you could move to a smaller yearly--

DOUGLAS APPLE: Right.

SPEAKER QUINN: --number to keep at maintenance--

DOUGLAS APPLE: Yeah.

SPEAKER QUINN: --needs to keep it at what I would call a state of good repair goal.

DOUGLAS APPLE: I think that's, you know, again, all back of the envelope, all very rough--

SPEAKER QUINN: [Crosstalk] Right.

DOUGLAS APPLE: --all, you know, subject to all kinds of variables, but I think that's a reasonable--that's certainly our thought

1  
2 and as we've gone through our process, we looked  
3 most closely at those elevators today, not  
4 necessarily just that their the oldest--

5 SPEAKER QUINN: No, right.

6 DOUGLAS APPLE: --but had the  
7 greatest maintenance problems, that show the  
8 greatest wear, and that the experts, the folks who  
9 really do this every day, know are at the point  
10 where they really are needed for replacement.

11 SPEAKER QUINN: So without the 107  
12 we are about, you know, a quarter or a fifth of  
13 where we need to be to actually get our elevators  
14 to where they should be.

15 DOUGLAS APPLE: I think that's fair  
16 in terms of given where we are today, the  
17 significant cuts in capital funding we've taken,  
18 as you pointed out, absolutely.

19 SPEAKER QUINN: And this is made  
20 worse, in my opinion, by the fact that the  
21 Authority has been forced into the position where  
22 you've had to take \$75 million of capital that was  
23 supposed to be capital money--

24 DOUGLAS APPLE: Yes, yes.

25 SPEAKER QUINN: --this year and put

1  
2 that into your operating budget, so that's \$75  
3 million that would have gotten us closer to being,  
4 you know, two-fifths of the way there or, you  
5 know, half of the way there.

6 DOUGLAS APPLE: It has forced us to  
7 defer projects, yes.

8 SPEAKER QUINN: Let me--I'm sorry,  
9 just a couple more quick questions really. The  
10 installation of the CCTV at 72 buildings in 28  
11 developments, which is a positive thing for  
12 elevators, but also a positive thing for public  
13 safety--

14 DOUGLAS APPLE: Right.

15 SPEAKER QUINN: --how much will that  
16 cost? And that's also money you're going to  
17 divert from something else, correct?

18 DOUGLAS APPLE: No, actually, that's  
19 already money that's in our budget--

20 SPEAKER QUINN: Okay.

21 DOUGLAS APPLE: --that's money that  
22 the vast majority, and as I look across the dais  
23 here, almost every one of you have given us money  
24 for cameras in your district--

25 SPEAKER QUINN: Yeah.

DOUGLAS APPLE: --and very much that is that money.

SPEAKER QUINN: So that if, in hindsight, you were going to have rewritten this testimony, you might've said and thanks to the New York City Council, we'll be installing 72 CCTV programs to be accurate. So this is not money that the Authority is prioritizing its money, you're implementing the Council Members' priorities. My last question is and I--do you believe you have the ability to complete all of this work in the timeframe that you've put in there? 'Cause capital projects don't ever move quickly in any city agency and they don't move particularly quickly in NYCHA either, though they don't move quickly in any city agency. So do you have the resources to put in 500 to 550 elevators in this year? And, if not, what do we need to do to make sure that does happen?

MALE VOICE: [Crosstalk] five years.

SPEAKER QUINN: 'Cause the worst of all possible worlds would be if you moved this money to that and then it sat there, didn't go for the playground, didn't go for the windows, didn't

1  
2 go for the new locks, and sat in the elevator line  
3 and didn't get spent 'cause we didn't have the  
4 person power or the contractors who could do that.  
5 So how do we know we're going to be able to find  
6 the person power, contractors, whatever to do that  
7 much work? In a year's time?

8 [Off mic]

9 TINO HERNANDEZ: Madame Speaker,  
10 this--these are projects that are going to be  
11 expedited, but it's over a five-year span so--

12 SPEAKER QUINN: [Interposing] Okay.  
13 So I misunderstood, I thought you were saying that  
14 you were--so you're going to replace 500 elevators  
15 over five years. I thought you were making a  
16 year's commitment.

17 TINO HERNANDEZ: It was--it's a 5-  
18 year commitment, we're starting expeditiously,  
19 there's some that are in the pipeline, we're going  
20 to work on getting bids for all of these projects,  
21 but it's over five years.

22 SPEAKER QUINN: I mean, I just have-  
23 -and so you're going to replace 500 over five  
24 years, how many need to be replaced immediately?

25 [Pause]

SPEAKER QUINN: It keeps turning you off, I don't know why--

DOUGLAS APPLE: Yeah.

SPEAKER QUINN: --it's doing that.

DOUGLAS APPLE: In the--in 2009, remember we're a calendar year, not a fiscal year-

-

SPEAKER QUINN: Right.

DOUGLAS APPLE: --in terms of our--

SPEAKER QUINN: Right, right.

DOUGLAS APPLE: --our budget cycle and our processes--

SPEAKER QUINN: Right.

DOUGLAS APPLE: --our immediate plan is to get contracts in place and start work on up to 200 elevators quickly. Those are the--

SPEAKER QUINN: Then so that--does that mean, Doug, that you--200 are in immediate need? What you're planning on doing is not--which is not necessarily the same thing--

DOUGLAS APPLE: Yes.

SPEAKER QUINN: --as how many are in a state of danger, so to speak.

DOUGLAS APPLE: Well I wouldn't use

1

2 those words--

3

SPEAKER QUINN: Okay. Whatever.

4

5 terms of prioritizing our plan and prioritizing  
6 the need for elevator replacement, we're going to  
7 immediately start [crosstalk] 200--

8

9 how many are not operational today or are in a  
10 state that you feel are not fully safe? Is that  
11 about 200?

12

13 this is really an issue of a capital replacement  
14 cycle, which may or may not be related to the,  
15 frankly, these elevators are not unsafe today,  
16 it's that they're at the point in their life cycle  
17 where they need to be replaced.

18

19 to fix 150--replace 157 in all '08 and '09, one in  
20 '10, one in '11, so there's only 43 additional  
21 that you feel after this review are in such a  
22 state that they need to be added this year?

23

24 the--I think what you're looking is a chart that  
25 shows what's already in the budget?

1

2

SPEAKER QUINN: Correct.

3

4

DOUGLAS APPLE: What I'm talking  
about are additional above what's in the budget,  
I'm sorry--

5

6

SPEAKER QUINN: [Interposing] So  
you--

7

8

DOUGLAS APPLE: --I misunderstood  
the question.

9

10

SPEAKER QUINN: --would do 357.

11

12

DOUGLAS APPLE: Exactly, that's  
exactly right.

13

14

SPEAKER QUINN: So of the 500, I'm  
sorry, of the 500, you're going to do 350 by  
January.

15

16

17

DOUGLAS APPLE: By January of 2009  
will be in design and then contract and bid. The  
work will not all start January, 'cause there's a  
whole process--

18

19

SPEAKER QUINN: [Interposing] So how  
many--

20

21

DOUGLAS APPLE: --as you point out.

22

23

SPEAKER QUINN: --how many elevators  
are going to get replaced? [Pause] Within the  
next six months?

24

25

DOUGLAS APPLE: We have to go back and get you those numbers. To be honest, if it's being replaced in the next six-months, we've already done a bid and we're awarding a contract. Elevators--elevators, though they are much more straightforward than much of our capital programs, still require a design process that generally is a six-month process, a bid process that's roughly a three-month process, and then you start contracting.

SPEAKER QUINN: So just--

DOUGLAS APPLE: --so if we start today, we're roughly talking about starting work about nine months from now.

SPEAKER QUINN: And nine months from now would be the ones you think are most urgent, right? Post the ones you thought were so urgent you put them in the budget, right? And they're either urgent 'cause they're old or they're urgent 'cause there's a problem.

DOUGLAS APPLE: And obviously we-- these are elevators that we're maintaining today--

SPEAKER QUINN: Right.

DOUGLAS APPLE: --and we're giving

extra focus on in terms of our maintenance efforts today until we get to the point of replacement.

SPEAKER QUINN: [Interposing] And so how many fall into that urgent category nine months from now?

[Pause]

DOUGLAS APPLE: We have to go back and sort of walk you through numbers, I can't say today how many of our 3,300 are in that condition, but what we're saying is--

SPEAKER QUINN: [Interposing] Well, no, it's how many of the 500 are in that condition? Right? Thank you, I don't want to take up more time--

DOUGLAS APPLE: Right, right.

SPEAKER QUINN: --'cause I already take a lot of time. Thank you, Chair Mendez. I just, you know, I think some of the confusion around the numbers even in this conversation probably underscores my opening statement about us needing to have a clearer plan and a clearer goal. And, again, I don't think whatever the depth of the problem is you're going to be able to fix or fund at all, but we need to know exactly what it

1  
2 is, where it is, how quickly it can be done, so we  
3 can all collectively engage in the effort to get  
4 it done and I just--although I think you're taking  
5 very, very significant steps to move in the right  
6 direction and a finding the \$57 million is a step  
7 in the right direction, I still don't feel the  
8 level of confidence I want to that we know here's  
9 the elevator that's a big problem and here is when  
10 it's going to get fixed and here is how it's going  
11 to get fixed. So I would want to have those  
12 follow-up conversations because that is, in some  
13 ways, maybe it's, you know, the average person's  
14 question, but I don't feel that I can answer it,  
15 you know, if a New Yorker asked me it or as an  
16 average person.

17 TINO HERNANDEZ: Well, Madame  
18 Speaker, we've been having these discussions with  
19 your staff, but I do think that it's probably a  
20 good idea to sit down and kind of give you a more  
21 macro picture of the elevator systems and--

22 SPEAKER QUINN: [Interposing] Well  
23 I--

24 TINO HERNANDEZ: --everything.  
25 [Crosstalk]

1  
2 SPEAKER QUINN: --with all due  
3 respect, I mean, I think you have been briefing  
4 our staff, but I don't think it's wholly the issue  
5 of me not understanding it. I think there isn't  
6 the lack of--I think there isn't the clarity or  
7 the systematic approach to the depth with which I  
8 want it and I think is needed and fair to give--go  
9 out and be able to tell Housing Authority  
10 residents.

11 TINO HERNANDEZ: Okay.

12 SPEAKER QUINN: It's not just that  
13 staff's briefed me, but I think it's a more  
14 strategic question in a way than that.

15 TINO HERNANDEZ: Right, and I  
16 understand that and what I'm--

17 SPEAKER QUINN: Right.

18 TINO HERNANDEZ: --suggesting is  
19 that we will continue to meet and lay out a more--  
20 a plan with more specificity--

21 SPEAKER QUINN: Thank you.

22 TINO HERNANDEZ: --so you have an  
23 understanding of the totality of the system. And,  
24 as Doug is indicating, while we're looking to  
25 repair elevators, I would, again, sort of

reiterate that we're also being proactive in being able to provide preventive maintenance on these elevators. So I don't want people to leave with the perception that they're dangerous at this point, because they're being maintained.

SPEAKER QUINN: Thank you.

DOUGLAS APPLE: And if I could just--one other thing I want to--'cause when we look at what elevators are most in need of replacement, there a number of factors that go into that assessment: the age of the elevator, its current condition, its maintenance history, but then there's some other more sort of subjective, I would say, factors. Obviously, if it's a development with many seniors, we want to think about that, obviously, if it's a building that only has one elevator versus have two, three, or four, we want to think about that. So there's--so to do this, and we can do this on an elevator by--

SPEAKER QUINN: Right, no, I understood, right.

DOUGLAS APPLE: --elevator basis for you, we want to look at all those factors and make a decision about what elevators we should do most

1  
2 quickly.

3 SPEAKER QUINN: [Off mic] Thank  
4 you. Thank you, Rosie.

5 CHAIRPERSON MENDEZ: Thank you,  
6 Madame Chair. I'm going to ask two quick  
7 questions and then I'm going to let my colleagues  
8 ask questions and I'll come back to you in the  
9 end, but I thought it might be helpful if you  
10 explain exactly what this remote monitoring of  
11 elevators is and how it works and if you can  
12 explain to me the 400 employees--I'm assuming from  
13 your testimony those are 400 employees that work  
14 only on elevators and who are the mechanics, you  
15 know, what's the different hierarchy of those  
16 employees and where are they throughout the  
17 borough?

18 TINO HERNANDEZ: I think it's me, I  
19 keep pushing the button. The--we're going to let  
20 Brian Clarke, who is the Assistant Deputy General  
21 Manager for Support Services answer the question.  
22 I think I want to preface it by just making the  
23 following statement, yes, you know, we've been  
24 having and, as you know, Chair, a tremendous fight  
25 fighting against the odds around a trend

1 nationally to really demolish public housing, get  
2 rid of public housing. I think nationwide we've  
3 lost about 200,000 units of public housing, which  
4 is almost the size and scope of New York City.

5 Throughout that, we have worked with limited  
6 resources, we've had some successes and being able  
7 to work together, the City Council, us, the Mayor,  
8 and many, many advocates and being able to get the  
9 shelter allowance passed, which brings resources  
10 in. We--I know that there was some disagreements  
11 around the use of Section 8 in terms of being able  
12 to stabilize the 21 local [off mic] developments,  
13 we got that approved. I give tremendous credit to  
14 Mayor Bloomberg for doing that 'cause that was  
15 something that we push, it was unprecedented, HUD  
16 could not figure out how to do it, and the Mayor  
17 actually joined me in being able to lobby HUD and  
18 getting that done and that's something that's  
19 going to bring resources to us as well. But the  
20 point that I want to make is that with all those  
21 financial challenges, we have never cut the  
22 elevator program. We've always saw it as one of  
23 our integral core services and in reality, we have  
24 been focused on elevators, I mean when you think  
25

1  
2 about an urban area and the need for elevators in  
3 high-rise buildings and the like and the number or  
4 the volume of use that it gets, this is something  
5 that has been a big priority for the agencies,  
6 never been cut, we're going to increase it, and we  
7 will work with you, Madame Speaker, and the  
8 Council to ensure that we all have a total  
9 understanding of how these decisions are going to  
10 be made and what's the total need to be able to do  
11 it. So I'll give it over to Brian to describe the  
12 structure of the elevator program and to answer  
13 some of your questions.

14 [Pause]

15 BRIAN CLARKE: Good afternoon, my  
16 name is Brian Clarke, I'm the Assistant Deputy  
17 General Manager for Support Services. Day to day,  
18 the management of our elevators is handled by six  
19 different departments. Day-to-day maintenance,  
20 which is preventive maintenance and responding to  
21 routine outages is handled by our Manhattan  
22 Management Department, Bronx Management  
23 Department, Brooklyn Management Department, and  
24 Queens Staten Island Management Department. Those  
25 departments are organized, we have a deputy

1 director who oversees skilled trades, which  
2 includes the elevator operation. Under them, we  
3 have administrators who oversee supervisor of  
4 elevator mechanics, who supervise mechanics,  
5 elevator helpers, and caretaker Es [phonetic].  
6 The mechanics perform the preventive maintenance  
7 and the repairs, they work in teams of one  
8 mechanic and one helper. Our Caretaker Es do do  
9 some janitorial type duties, but for the most part  
10 they're doing data entry. The Support Services  
11 Departments, which I oversee, are the Technical  
12 Service Department and Emergency Services  
13 Department. The Technical Service Department  
14 provides elevator training, heavy-duty specialized  
15 repairs, it includes our--also our inspection  
16 program, we have our licensed inspectors who  
17 perform our mandated inspections, as well as our  
18 agency director, which enables us to be a licensed  
19 elevator agency firm. We also have our training  
20 facility, our training program is through the  
21 Technical Services Department and we also have our  
22 warehouse for where we keep our large equipment.  
23 A lot of our technical initiatives, such as the  
24 handheld devices for inspections and remote  
25

monitoring and the installations of CCTV cameras inside the elevator cabs, is coordinated with the Technical Services Department. The Emergency Department after hours and on weekends and holidays, we have elevator teams assigned there with helpers, as well as Caretaker Es and supervisor of elevator mechanics that oversee responses to service requests, emergency outages, on the--on nights and weekends and holidays. The elevator remote monitoring program that I'd like to answer the question about is new technology, it's something that we started early back in 2005 and modern control boards are now called solid-state or computerized control boards. We're able to install software programs where we can monitor certain in--performance indicators, you know, of particular elevators, you know, through this program. The information is sent via antenna to central occasions where we can monitor performance. We can check and see whether the car is running, we can also--this has a diagnostic function where we can see false issues arise based on these 40 different indicators. What the remote monitoring enables us to do is that, for those

1  
2 developments right now where we don't have remote  
3 monitoring, if we have a report of an elevator  
4 outage, the first response would be a maintenance  
5 mechanic--a maintenance worker to go out there and  
6 check and see and verify the outage. Very often  
7 when we have claims of an elevator being out of  
8 service, it is running on arrival. Also our  
9 maintenance mechanic can do some very simple  
10 repairs, such as replace fuses, but then more  
11 complex repair issues have to be sequenced to our  
12 elevator department and assign mechanics, which  
13 all increases time. With the remote monitoring,  
14 when we get a service request pertaining to an  
15 outage, we can check the system to see whether or  
16 not the elevator is running, we can do--take a  
17 quick look at the diagnostics to see if we need to  
18 send a maintenance worker there or have an  
19 elevator mechanic there. Right, now we have that  
20 installed in 920 elevators covering 57  
21 developments. When we upgrade and do  
22 modernization work, we include this technology in  
23 it.

24 [Pause]

25 CHAIRPERSON MENDEZ: The maintenance

workers that you talk about, that's not part of this 400 number.

BRIAN CLARKE: Correct, that's day-to-day maintenance workers assigned to developments.

CHAIRPERSON MENDEZ: The mechanics and mechanic helper, helpers? How many of the 400 are in those positions and where are they located throughout the boroughs or do they get dispatched from a central location?

BRIAN CLARKE: I can--the day-to-day management, I can get you the exact numbers that we have by borough for each department, but we average anywhere from somewhere around 20, 22 cars per maintenance team. Now the elevators, when you're maintain--

CHAIRPERSON MENDEZ: [Interposing]  
Can you repeat that, I'm sorry--

BRIAN CLARKE: I'm sure--

CHAIRPERSON MENDEZ: --I didn't...

BRIAN CLARKE: --yeah, the actual--  
the range in, let's say, if you wanted to look at how many maintenance mechanic teams--elevator mechanic teams--that would be an elevator mechanic

1  
2 and a helper--how many they have, how many  
3 elevators they have assigned to them, on average,  
4 if you were to look at it, is 20 to 22 for our  
5 larger developments and a little bit more for  
6 Queens and Staten Island.

7 DOUGLAS APPLE: But let me just--  
8 'cause on that, now that is not 24 hours a day,  
9 seven days a week and I think that's an important  
10 thing to consider 'cause obviously elevators run,  
11 you know, the 1.7 million trips we talk about per  
12 day, I think it is? Obviously are over the course  
13 of 24 hours. So that number call it 25 cars per  
14 mechanic, is frankly, based upon the number of  
15 mechanics divided by the number of cars. That  
16 doesn't mean that at any given time there are that  
17 many mechanics servicing cars because staff are  
18 allocated over seven days a week, 24 hours a day  
19 and therefore the actual number at any one time is  
20 going to be much less.

21 CHAIRPERSON MENDEZ: Okay. So I'm  
22 going to repeat what I thought what I understood,  
23 but you will tell me if this is correct. You have  
24 a team, a team is comprised of a mechanic and a  
25 mechanic helper. Any given team has about 25 cars

1  
2 in big developments that may be in their work  
3 portfolio, is that correct?

4 DOUGLAS APPLE: Yes.

5 CHAIRPERSON MENDEZ: And how many  
6 teams do you have and are they located in one  
7 central location or their--

8 DOUGLAS APPLE: [Interposing] We  
9 have roughly 400 staff, but half of them are  
10 elevator mechanics and the other half are helpers  
11 and under union work rules you have to pair a  
12 mechanic with a helper, so a team is the two of  
13 them. So if you take the total number of teams,  
14 and they're really allocated over our borough  
15 operation, so they're assigned by borough, we can  
16 get you those numbers by borough, and then some of  
17 them are assigned centrally to some central teams.

18 CHAIRPERSON MENDEZ: Okay. My last  
19 question on this to make sure I completely  
20 understand this and then I'm going to turn it  
21 over. You have 400 employees that are working on  
22 elevators or are assigned to--

23 DOUGLAS APPLE: Yes.

24 CHAIRPERSON MENDEZ: --the elevator  
25 department.

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DOUGLAS APPLE: Correct.

CHAIRPERSON MENDEZ: Two hundred are teams of which--no? Two--

DOUGLAS APPLE: [Interposing] No, no, there are 400 people, call it 200 of those people are what's called elevator mechanic, it's a civil-service title.

CHAIRPERSON MENDEZ: And the other 200 are helpers.

DOUGLAS APPLE: Are elevator helpers who assist the mechanic and together they make a team. So we have roughly 200 teams assigned to the 3,300 elevators across the five boroughs.

CHAIRPERSON MENDEZ: So all--I lied, that was not my last question, but I still don't understand it and that's why I didn't--

FEMALE VOICE: You're making me feel [background noise]--

CHAIRPERSON MENDEZ: --we have 400 employees, 200 of those have the title of mechanic, the other 200 have--

DOUGLAS APPLE: [Interposing] Roughly, I mean, the number goes ups and down--

CHAIRPERSON MENDEZ: --mechanic

1  
2 helper--

3 DOUGLAS APPLE: Yeah.

4 CHAIRPERSON MENDEZ: --and then they  
5 get pared up and assigned and then they have about  
6 25 cabs in their work portfolio. And then I'm  
7 assuming there's other individuals that are not  
8 part of the elevator department, but up the  
9 pecking order that do administrative stuff?

10 DOUGLAS APPLE: There's--yes, of  
11 course, they have--we have a range of supervisors  
12 from the direct supervisors who oversee those  
13 teams, to their supervisors, to Brian who oversees  
14 the entire portfolio across the city.

15 CHAIRPERSON MENDEZ: Can you provide  
16 to the committee the--

17 DOUGLAS APPLE: Yes, absolutely.

18 CHAIRPERSON MENDEZ: --skeleton  
19 structure of--

20 DOUGLAS APPLE: Yep, we can give you  
21 work charts--

22 CHAIRPERSON MENDEZ: --where that  
23 pecking order goes?

24 DOUGLAS APPLE: --and we can give  
25 you the numbers by borough and by function.

CHAIRPERSON MENDEZ: And this will--  
I think--never--let me that say that. Of these  
400 individuals who are doing--working on these  
elevators, those individuals are doing inspections  
and maintenance? Some are doing inspections?  
Some are doing maintenance?

DOUGLAS APPLE: As the Chairman  
indicated in his testimony, we actually have--we  
separate the inspection from the maintenance for  
integrity reasons and for oversight reasons. So  
the inspectors are within the numbers we just  
talked about, and as we talked about, there is 12  
teams. So of those 400 people which constitutes  
200 teams, 12 of them are special inspection  
teams, they're assigned centrally, they actually  
work under Brian for--where's John? For the guy  
that's sitting directly behind me, John Ashton, a  
30 year veteran of the Housing Authority and  
expert on elevators, and those teams exclusively  
do inspections, they're licensed DOB inspectors  
and they do nothing else but inspections.

[Pause]

CHAIRPERSON MENDEZ: So there are 12  
teams, that's 24 individuals who are licensed DOB

inspectors, who are doing these special inspections and the remainder of all the other employees are doing the maintenance.

DOUGLAS APPLE: Yes, rough, I mean there are--within those teams, I think there's some that specialize 'cause they do the heavy-duty, but, yes, I think the way to think of it is the balance are maintenance personnel.

[Off mic]

CHAIRPERSON MENDEZ: Thank you. Thank you, Madame Speaker, for joining us and this has been helpful. I have more questions on this, but I will now defer to Council Member Tish James to be followed by Council Member Yassky.

[Pause]

COUNCIL MEMBER JAMES: Thank you, Madame Speaker, and Madame Chair, for this opportunity. I just want to review my understanding of [pause] elevator operations and NYCHA. There are 3,335 elevators in the NYCHA system, yes? There are two laws which have jurisdiction in this area, Local Law 10 and Local Law 48, yes?

[Pause]

DOUGLAS APPLE: Local Law 48?

COUNCIL MEMBER JAMES: 48 and 10?

Local Law 10 and Local Law 48? Just two, yes?

MALE VOICE: I'm not familiar--

[off mic]

COUNCIL MEMBER JAMES: Okay.

There's one law which basically requires you to have an annual inspection, yes?

DOUGLAS APPLE: That's Local Law 10.

COUNCIL MEMBER JAMES: Okay.

DOUGLAS APPLE: Yes.

COUNCIL MEMBER JAMES: And Local Law 48, according to my understanding, is another law which governs the inspection of elevators general in the city of New York. Are you familiar with that?

DOUGLAS APPLE: I think the Buildings Department probably in a better position to answer that. I mean, my understanding is Local Law 10 requires us to do, I know for a fact, annual inspections--

Council James: Right.

DOUGLAS APPLE: --as well as a 2-year and a 5-year inspection.

COUNCIL MEMBER JAMES: Is there--is  
Local 48--is their jurisdiction in this area, yes?

MALE VOICE: [Off mic] It's the same  
law in [off mic]

[Pause]

COUNCIL MEMBER JAMES: Got it, so  
it's the 10--

[Off mic]

CHAIRPERSON MENDEZ: Excuse me, can  
you identify yourself and put those comments on  
the record because it was not picked up, please.

[Off mic]

HARRY VYAS: I'm sorry. My name is  
[pause] My name is Harry Vyas, I'm the Director of  
Elevators, Department of Buildings. And Local Law  
10 of 81 amended and law in 1991 become Local Law  
48.

COUNCIL MEMBER JAMES: Got it. Same  
law.

DOUGLAS APPLE: I see--

COUNCIL MEMBER JAMES: Got it.

DOUGLAS APPLE: Got it.

COUNCIL MEMBER JAMES: So and  
there's a MOU now with DOB and with NYCHA, which

basically says that NYCHA can perform its own inspection, yes?

DOUGLAS APPLE: Let me just described that briefly. Local Law 10 requires a landlord to perform one inspection a year and then designates the Department of Buildings to do the second inspection on an annual basis. Based upon the 1991 agreement between NYCHA and DOB, NYCHA does that second inspection on behalf of the Department of Buildings--

COUNCIL MEMBER JAMES: Right.

DOUGLAS APPLE: --we always have the responsibility to do one inspection.

COUNCIL MEMBER JAMES: And does DOB on its own do a inspection or does--are most of the inspections done by NYCHA?

DOUGLAS APPLE: NYCHA does all of the inspections required under Local Law 10, what DOB does is they do reviews of our inspections and then they do periodic inspections of some of those inspections.

COUNCIL MEMBER JAMES: Okay. So the periodic review is it--the review, does it include an actual inspection or does it--is it a review of

1  
2 your paperwork?

3 DOUGLAS APPLE: I'll let Harry or  
4 Steve--I guess Steve left the room--answer that,  
5 but it's clearly an inspection, they physically  
6 come out--

7 COUNCIL MEMBER JAMES: They  
8 physically.

9 DOUGLAS APPLE: --and do a re-  
10 inspection of elevators that NYCHA has previously  
11 inspected.

12 COUNCIL MEMBER JAMES: And when you  
13 say periodic, how would you define periodic? How  
14 often?

15 DOUGLAS APPLE: Department of  
16 Buildings recently in the last year have done  
17 about 12% re-inspections of inspections NYCHA has  
18 done.

19 COUNCIL MEMBER JAMES: Okay.  
20 Currently, it's my understanding that you hire 10  
21 license--NYCHA employs 10 licensed inspectors for-  
22 -they just employ 10 licensed inspectors, correct?

23 DOUGLAS APPLE: Previously NYCHA had  
24 10 inspection teams, those inspectors are  
25 Department of Buildings licensed inspectors, we've

just recently, in September, added two new licensed inspection teams.

COUNCIL MEMBER JAMES: Okay.

DOUGLAS APPLE: So we now have a total of 12.

COUNCIL MEMBER JAMES: Twelve, and you also currently have 187 elevator mechanics and 154 helpers, right? Okay. And some of your inspections include visual assessments, yes? [Pause] Some of the inspections are visual? Are all of your inspections visual and are some of them more in depth...

DOUGLAS APPLE: Why don't you describe in [crosstalk] the one, the two, and the 5-year tests?

BRIAN CLARKE: Sure. The Local Law 10 inspection, which is a landlord inspection, is a visual assessment of the motor room, the pit, the shaft, all the door openings, the [off mic]

COUNCIL MEMBER JAMES: So Local Law 10 is just a visual inspection of all the things you just described.

BRIAN CLARKE: And it includes the buffers, okay? We have to actually test the

1  
2 buffers in the pit and also we have to trip the  
3 governor, which is a safety up in the motor room.  
4 So that's a little bit of a visual--physical  
5 inspection there, but predominantly a visual  
6 inspection.

7 COUNCIL MEMBER JAMES: So it's  
8 predominantly visual, but a little bit of  
9 physical.

10 BRIAN CLARKE: Right, and then the  
11 inspection that's done by the DOB that we do on  
12 behalf is entirely visual.

13 COUNCIL MEMBER JAMES: It's entirely  
14 visual.

15 BRIAN CLARKE: Entirely visual,  
16 we're also required to do a 2-year test where  
17 we're--that's a physical test of the elevator  
18 safety system. It's not done with full load, it's  
19 done on slow speed, but we--

20 COUNCIL MEMBER JAMES: Right.

21 BRIAN CLARKE: --actually test the  
22 safeties. Then there's a 5-year test, which is  
23 done with the full load capacity of the car and  
24 that's a physical test.

25 COUNCIL MEMBER JAMES: Now every two

1 years or within a two-year period?

2 BRIAN CLARKE: It's every two years.

3 COUNCIL MEMBER JAMES: And the five-  
4 year is every five years or within five years?

5 BRIAN CLARKE: It's every five  
6 years.

7 COUNCIL MEMBER JAMES: Every five  
8 years.

9 BRIAN CLARKE: Yeah, and the two-  
10 year will, with the new code come January, will  
11 become part of the annual inspection, so you'll no  
12 longer have a two-year test, it'll be part of the  
13 annual inspection.

14 COUNCIL MEMBER JAMES: So let's just  
15 recap. So the Local Law 10 slash Local Law 48 is  
16 primarily visual, yes?

17 BRIAN CLARKE: Yes.

18 COUNCIL MEMBER JAMES: And the other  
19 two laws that you talked about is every two years  
20 and then every five years where your--there's an  
21 actual physical inspection.

22 BRIAN CLARKE: There's a physical  
23 test of the safety.

24 COUNCIL MEMBER JAMES: Physical  
25

test.

BRIAN CLARKE: Yes.

COUNCIL MEMBER JAMES: So for the most part, primarily, annually, we're looking more visually. Yes.

DOUGLAS APPLE: Well, what I would mention to you, Councilwoman, which, obviously, you're talking about is that these are the requirements that NYCHA has as any landlord in the city has, so we're complying fully with the requirements of Local Law 10 as any landlord, as you know, there's 60,000 or more elevators in the city--

COUNCIL MEMBER JAMES: I understand.

DOUGLAS APPLE: --so we're doing it no differently than any other landlord.

COUNCIL MEMBER JAMES: No, I understand, and I also understand that you are operating with some, you know, financial constraints as well. [Pause] But I also know that within--since from January to September 2008, there have been 34,186 outages, yes?

DOUGLAS APPLE: Those sound correct, yep.

COUNCIL MEMBER JAMES: Okay. And normally these outages, on average, individuals have to wait, on average, between 10 to 12 hours?

DOUGLAS APPLE: Actually, we've seen a reduction of the time of repair, but it is roughly around 10 hours, that's correct.

COUNCIL MEMBER JAMES: And what happens during off hours and or emergencies? Individuals have to report outages to a emergency service unit?

DOUGLAS APPLE: While actually, as you know, this is again something we've changed in the past several years that no longer do you call the local management office if you have a problem. When you call the office, we didn't know there was a problem, we might not have gotten you the right resources. We've changed the process. All calls, whether it be on hours or off hours, come to a central call center and 24 hours a day, seven days a week, that center is there and when it's off hours, we have emergency teams that will be dispatched to repair those elevators.

COUNCIL MEMBER JAMES: And how many emergency teams do you have?

DOUGLAS APPLE: Do you know how many, Brian?

BRIAN CLARKE: Yes, sorry, yeah, evenings from four to midnight we have 10 teams, from midnight to eight in the morning, we have four teams, and on the weekend, on a Saturday covering an entire Saturday, we have different shifts, it's 31 teams and on Sunday, 31 teams.

COUNCIL MEMBER JAMES: And this is for 3,335 elevators.

BRIAN CLARKE: Correct.

DOUGLAS APPLE: Which is sort of the point when Councilwoman Mendez was going through some of the numbers and we talked about roughly we have 20 to 25 elevators per team, that's true in the gross, but given the fact, as you point out, on midnight, we might only have how many teams on a midnight?

UNKNOWN VOICE: Four.

BRIAN CLARKE: After midnight, four.

DOUGLAS APPLE: So four teams, I mean, this is very--this is where I think resources are a challenge for us.

COUNCIL MEMBER JAMES: Yeah.

1

2

DOUGLAS APPLE: In that because--

3

COUNCIL MEMBER JAMES: That's it--

4

DOUGLAS APPLE: --we're really

5

understaffed on the midnight tour, four teams for

6

3,000 elevators really means that many of those

7

elevators will get repaired in the morning when

8

the--

9

COUNCIL MEMBER JAMES: That's right.

10

DOUGLAS APPLE: --regular staff

11

comes in.

12

COUNCIL MEMBER JAMES: That's just--

13

DOUGLAS APPLE: And that is--

14

COUNCIL MEMBER JAMES: --that's just

15

amazing, 4 for 3,335--that's just shocking. I

16

mean, it's beyond belief in the richest city in

17

the world. Let me go on to say that--ask you this

18

other question--I still can't get over that. How

19

long does it take to repair an elevator on

20

average, how many hours?

21

[Pause]

22

TINO HERNANDEZ: I'm sorry, ma'am?

23

COUNCIL MEMBER JAMES: How many, on

24

average, how many hours does it take to fix an

25

elevator?

DOUGLAS APPLE: From the time that we receive a phone call to our central call center to the time that car is back in service? As we said earlier, on average, it's 10 hours. Now we've actually been working hard to try to reduce that in some of the developments we've had the most outages and actually, as the Chairman talked about in his testimony, we've actually done that in many developments that we had very long outages and very many, we've actually reduced the number of outages and reduced the time. But, yes, on average, it's about 10 hours.

COUNCIL MEMBER JAMES: And how do you prioritize the outages? Particularly during the off hours? How do you prioritize it?

DOUGLAS APPLE: Obviously, for example, a senior building--

COUNCIL MEMBER JAMES: Yeah.

DOUGLAS APPLE: --is going to get priority. Obviously, for example, if we have a building that has only one elevator and that elevator's out, that's going to get priority. If we--in some cases, we have what the experts like to call a doubleheader, meaning in a--it's not a

1  
2 baseball term--but if we have two elevators out in  
3 the same building, for example, as you know, one  
4 of our challenges is dealing with all of our  
5 infrastructure needs, so when we have a very heavy  
6 rainstorm--I know last night--was it last night or  
7 the night before?

8 COUNCIL MEMBER JAMES: Right.

9 DOUGLAS APPLE: We had a number of  
10 instances where we have leaks in a building, those  
11 leaks will cause outages in those elevators.

12 COUNCIL MEMBER JAMES: The purpose  
13 of my questions are not too embarrass you--

14 DOUGLAS APPLE: No.

15 COUNCIL MEMBER JAMES: --the purpose  
16 of my questions is really to highlight to the  
17 media the exigency of the problem and the fact  
18 that we--this is an emergency and the fact that  
19 three--there are 3,335 elevators that there are  
20 all of these residents who live within NYCHA and  
21 this is not a priority in the City of New York is  
22 just shocking and shameful for the elected  
23 officials on the federal level, the state level  
24 and, yes, here in City Council. It's an--it's  
25 appalling that we have not addressed your

1  
2 concerns, that it's not a priority. And so these  
3 questions are not too embarrass you, but just to  
4 highlight, highlight the extent of the problem  
5 within NYCHA. Mr. Chair, did you want to--you  
6 were looking at me, did you want to say something  
7 or want to respond to call to action?

8 TINA HERNANDEZ: Well, I know that  
9 we have worked with you and we've worked with many  
10 City Council members sitting here on a myriad of  
11 projects, including development projects, capital  
12 projects, even social service projects, and we  
13 welcome the opportunity to continue to work with  
14 you on the federal and the state level. While  
15 we've been successful in being able to do many  
16 things, I do really think that we're sort of at a  
17 defining moment or at a crossroads where we again  
18 need to band together and sort of utilize the  
19 movements that we use to be able to get the  
20 shelter allowance done and to get many of the  
21 things that we accomplished at a very critical  
22 stage.

23 COUNCIL MEMBER JAMES: Yeah.

24 TINO HERNANDEZ: At the federal and  
25 state level. The city and the Mayor and the City

Council, I would say, have been very helpful throughout the years under tremendous economic constraints, but I do believe that we have to have a strategy--

COUNCIL MEMBER JAMES: Sure.

TINO HERNANDEZ: --to be able to do better.

COUNCIL MEMBER JAMES: And the article in today's Times today about the government using Section 8 vouchers doesn't really help the situation at all. My other question to you is--

[Off mic]

TINO HERNANDEZ: --[Interposing] I-- on that one--

COUNCIL MEMBER JAMES: I know.

TINO HERNANDEZ: --on that one I know, I know that there was tremendous disagreement, I would hope that we can agree to disagree. I have 21 developments that get no funding for, I was looking for a creative solution--

COUNCIL MEMBER JAMES: No, I understand.

TINO HERNANDEZ: --I understood and I empathize with some of the concerns that were expressed by many people, many opponents of it, but at the end of the day it's going to bring me \$93 million worth of revenue--

COUNCIL MEMBER JAMES: I understand.

TINO HERNANDEZ: --so that I can stabilize those developments. And the other thing that I would stress about it instead it's not an event, it's a process.

COUNCIL MEMBER JAMES: Right.

TINO HERNANDEZ: We're going to be doing this over a multiyear process.

COUNCIL MEMBER JAMES: Sure.

TINO HERNANDEZ: If circumstances change, the Housing Authority can make some adjustments. Moreover, I guess I will add that while we did this in a time of competing and conflicting demands, and I understand the people's concern about using those vouchers in the private sector, we, I would remind you, announced the plan to do 22,000 vouchers over a period of a couple of years and where the--and I think we're going to hit an unprecedented number of vouchers this year

of about maybe 12,000 and have about 90,000  
Section 8 apartments in New York City and that's  
pretty unprecedented.

COUNCIL MEMBER JAMES: Getting back  
to the elevators, does the--borough by borough, is  
there--are there any particular developments which  
are more a priority than others and, if so, do  
you--could you indicate which developments?

[Pause]

TINO HERNANDEZ: Well let me,  
obviously in my testimony was talking about the  
fact that--and I don't know if a lot of the  
Council Members known this--we're very early on in  
our 10-year, we implemented a COMPSTAT model that  
tracks developments. That really led to a couple  
of things that we sort of alluded to here, one of  
the things that we had a problem with was that  
work orders were going to the head of development--  
development level to the manager, we had no way  
of quantifying the problems of how things were  
being responded to up to and including elevator  
problems. We're using that model now to sort of  
be able to look at all of the developments to have  
a sense of where we have the highest outages and

where we're looking to do now is to sort of use that model to concentrate on these developments that have the highest outages with a real focus to see if we can reduce those outages.

COUNCIL MEMBER JAMES: And what developments are those?

[Off mic]

DOUGLAS APPLE: And really--to answer the first--every development we, frankly, is important--

COUNCIL MEMBER JAMES: I understand.

DOUGLAS APPLE: --and every elevator when it's out, is something that it matters to the residents of that building and we need to most promptly--

COUNCIL MEMBER JAMES: Sure.

DOUGLAS APPLE: --and quickly repair them.

COUNCIL MEMBER JAMES: Particularly those developments where there's a significant number of seniors.

DOUGLAS APPLE: Correct, we would absolutely agree with you, Councilwoman.

COUNCIL MEMBER JAMES: Right.

DOUGLAS APPLE: So what we're doing and what we really want to do kind of in conjunction with you, is really we know and we actually have shared this data with your staff, the developments that have the most outages. [Pause] Now that is a major indicator of issues obviously and the most real indicator, but there are other things we want to look at in determining how to allocate these additional resources more effectively and strategically. So we want to look at, is it a development with only one elevator per building or does it have multiple, so at least you have an alternative. We want to look at the overall condition of the building because, to be honest, if we're fixing the elevator and the problem is the roof is leaking--

COUNCIL MEMBER JAMES: Right.

DOUGLAS APPLE: --we probably need to fix the roof first. For example, Whitman-Ingersoll, as you know, is an example of that.

COUNCIL MEMBER JAMES: Right.

DOUGLAS APPLE: We want to look at developments that have a high preponderance of seniors, especially seniors on higher floors or in

1  
2 bigger--in bigger developments like, for example,  
3 Atlantic Terminal. So those are the kind of  
4 things we're looking at as we determine the right  
5 way to allocate these resources and to focus on  
6 these developments and we're really in the process  
7 of doing that right now.

8 COUNCIL MEMBER JAMES: And so again,  
9 if I could just--do you have the list of  
10 developments where there's--the outages are the  
11 greatest?

12 TINO HERNANDEZ: I--yes, well--

13 COUNCIL MEMBER JAMES: Do you have  
14 it with you now?

15 TINO HERNANDEZ: But with all--

16 [Off mic]

17 TINO HERNANDEZ: --

18 COUNCIL MEMBER JAMES: Okay.

19 TINO HERNANDEZ: Well, yeah, and  
20 with all due respect, I do think that that's a  
21 starting point where we have to sit down with  
22 Council Members when we're looking at developments  
23 and their respective districts so that they have  
24 an understanding of the way that we're sort of  
25 approaching those developments.

COUNCIL MEMBER JAMES: And my last question is, what happens when there is an outage? How do you handle getting the, particularly if there's seniors in the building, in and out of the building? What's the protocol? Do they have to wait 12 hours until it's fixed or what?

[Pause]

DOUGLAS APPLE: As Brian says, in our larger developments during, you know, sort of daytime hours or even sometimes going into the evening, we have a team assigned full-time to that development, so that team will get there rapidly and be able to return that elevator service quickly. In the weekends and at nighttime and it may be a smaller complex, it doesn't have a team, there is a time that takes to get a team there and to repair that elevator, what we try to do is obviously, take into account--because when someone calls us and says they're waiting in the lobby, they're in--let's say they're handicapped and they can't get up the stairs, we do try to prioritize those calls first.

COUNCIL MEMBER JAMES: So there's a team of individuals focused on the elevator, what

1  
2 you're telling me is that there's a team of  
3 individuals who are focused on senior citizens and  
4 or people who are disabled, who are trapped either  
5 on the first floor or in their apartments? Is  
6 that your testimony? Or it's just a team focused  
7 on the elevator?

8 TINO HERNANDEZ: What I would say is  
9 that we generally keep a list of individuals,  
10 senior lot that have special needs and elevators  
11 and generally we respond, we have a social  
12 services component that also tends to respond,  
13 particularly to high incidents that work on any  
14 kind of--in any kind of disaster or problem. Even  
15 as the Speaker was alluding to, the fire we had a  
16 social services team there. When we have an  
17 emergency personnel, we actually, the managers  
18 generally have a list of people that have special  
19 needs. In many instances, we will open our  
20 community centers if necessary to keep--be able to  
21 keep people in community centers until repairs are  
22 done and provide them with food, with water,  
23 whatever they need until a repair can get done.  
24 So we try to be as responsive to the residents as  
25 possible.

COUNCIL MEMBER JAMES: Hopefully,  
come next week change is on its way.

[Pause]

CHAIRPERSON MENDEZ: Thank you.  
Council Member Yassky will be asking the next set  
of questions and for the audience, Jacob Neuman  
was the young man--young boy 5-years-old, was a  
constituent of Mr. Yassky's. And just to remind  
you, counselor, you know, this is under--there's  
still a lawsuit, so there are some questions the  
authority may not be able to ask. I'm just  
putting that--

COUNCIL MEMBER YASSKY: No, I  
understand and I--not only will I not ask  
questions as I've been advised that they're not--  
you are not in a position to answer about the  
Taylor-Wythe complex in particular, which is where  
the--this tragedy took place, so I won't ask about  
that. I also won't to [pause] you know, engage in  
the--I won't vent the kind of passion and feelings  
that my constituents vent with me on this topic  
and that, I know you've heard directly, Mr. Apple,  
you've been at a couple of meetings in the--in  
Taylor-Wythe since then and, Mr. Chairman, I know

1  
2 you have as well, not when I was there, but I know  
3 that you have been to Taylor-Wythe since as well.  
4 Suffice it to say that the pain in that--not just  
5 among the Neuman family, but among the entire  
6 community in Williamsburg that felt that tragedy  
7 so deeply, may have the edge of it may have worn  
8 off, but it is still very, very much a presence in  
9 the community. But what we're here today is to  
10 talk about where we're going from here not rehash-  
11 -not revisit that tragic past, so I understand  
12 that. I really just want to follow up on some of  
13 the questions that the Speaker and that Council  
14 Member James asked, most pointedly, about the  
15 prioritizing of, I guess, both repairs and  
16 replacements and I want to make sure I understand  
17 exactly what you're doing. As you've told us  
18 today, you're increasing the replacement budget by  
19 \$50 million or \$57 million from--you had 50  
20 million set aside for replacements, it's now going  
21 to be 107 million and that will replace some 500  
22 elevators over a five-year period?

23 DOUGLAS APPLE: Yes.

24 COUNCIL MEMBER YASSKY: And what can  
25 you tell me about the--how you're choosing which--

1  
2 what work to do? What--how are your prioritizing  
3 the work?

4 [Pause]

5 DOUGLAS APPLE: As sort of the  
6 Speaker was asking, we really try to do it first  
7 and foremost based upon the age and condition of  
8 the elevator. Right? That should be the defining  
9 factor initially about replacement, so obviously  
10 very old elevators, elevators that may have  
11 antiquated parts, elevators that we have a very  
12 significant number of mechanical breakdowns, those  
13 are the ones we prioritize. However, sometimes it  
14 turns out some of the older elevators are more  
15 reliable, so you can't just use any one factor,  
16 but we do try to look at and we do have an  
17 assessment of every elevator that helps us make  
18 these decisions.

19 COUNCIL MEMBER YASSKY: Right. No,  
20 I heard the Speaker's questioning and, you know, I  
21 just want--she's not here at this moment, but I  
22 want to thank her for attending, I know, you know,  
23 as you know, it's not typical for the Speaker to  
24 attend a hearing, so I appreciate her--the level  
25 of attention she has paid to this topic and I

1  
2 thought her questions, frankly, were exactly the  
3 right ones, but I wasn't sure that, you know, she  
4 was very polite about it, that they really weren't  
5 fully answered, so that's why I want to go back  
6 over it because I'm not sure if I hear what you're  
7 saying that a bunch of factors you would look at.  
8 I guess I want to know that there is a priority  
9 system and that the ones that are in most need of  
10 replacement will be replaced and to know that--

11 DOUGLAS APPLE: [Interposing] There  
12 is a priority system [crosstalk]--

13 COUNCIL MEMBER YASSKY:  
14 [Interposing] Well that's why I want to not just--

15 DOUGLAS APPLE: --replace the ones  
16 that are--

17 COUNCIL MEMBER YASSKY: Right, I  
18 hear the assertion, that's what I want to  
19 understand, though, is, so if an elevator has had  
20 15 outages in the last year, does that get  
21 replaced? I want to know what--I want to know  
22 concretely and that--the--to know that there's a  
23 priority--

24 DOUGLAS APPLE: [Interposing]  
25 Actually--

COUNCIL MEMBER YASSKY: --standard, I guess I'd like to hear concretely what it is and how it's implemented.

DOUGLAS APPLE: Age of that elevator, so age is in--is a major indicator because obviously like with any mechanical piece of equipment, the older it is, the more likely you're going to have future breakdowns. The--

COUNCIL MEMBER YASSKY: Is there an age, and I'm sorry to interrupt, but I and, Madame Chair, I apologize if I take a little bit of time, but I just want to get into detail here, if that's okay. Is there an age at which replacement is mandatory? And I'm ignorant I really do not know anything about this.

DOUGLAS APPLE: There's no mandatory replacement anywhere that I know of, I mean, Buildings might know of other, but from an industry standard, it would be usually 15 to 20 years in residential buildings, like the ones we manage, would be the general standard. It may be in some cases in very large buildings, we have 30 story buildings, we should do it more frequently; in other cases, a very low-scale senior building,

1  
2 for example, it might be able to be done less  
3 frequently. But 15 to 20 years would be a general  
4 standard for elevator replacement.

5 COUNCIL MEMBER YASSKY: Okay. And  
6 so, all right, but if there's no mandatory, but  
7 that's a factor, so there's 200 elevators that  
8 you're intending to replace within the next--begin  
9 replacement within the next year, if I understood  
10 your testimony.

11 DOUGLAS APPLE: I think it was 357  
12 we said.

13 COUNCIL MEMBER YASSKY: Within the  
14 next year.

15 DOUGLAS APPLE: That we're going to  
16 begin a process that are either in our budget or  
17 we're adding to our budget.

18 COUNCIL MEMBER YASSKY: Okay. Fair  
19 enough, well maybe we're--it's the process part  
20 and what I thought I heard you say earlier was  
21 that within the next year, there'd be 200 that  
22 work would be done on, but, okay, 357. Those are  
23 not necessarily the 357 oldest you're telling me,  
24 is that right?

25 DOUGLAS APPLE: We have to go back,

compare, but I'm sure that they aren't necessarily the oldest, no.

[Pause]

COUNCIL MEMBER YASSKY: Are they the 357 with the most outages in the last 12 months?

DOUGLAS APPLE: A combination of oldest, the most outages, and the most use. Use is an important factor, right? When you think about a building, every time an elevator goes up, a door opens, you're putting some sort of strain on the mechanical system. So if it's a--as the experts like to say, if it's a building with 25 openings, i.e. 25 floors, that elevator will get used much more than the elevator in a building with only six floors. So that's another factor you--it's essentially, Councilman, a formula. The simplest way I can say to you, and if you only looked at one thing, I think you would actually be not doing what needs to be done, which is really target the elevators that are most need of replacements.

COUNCIL MEMBER YASSKY: And is there a person who looked at the 3,000 elevators and picked out the 300 that are to be done? Who is

1  
2 that person?

3 DOUGLAS APPLE: There are persons  
4 and a process. There's not one person, obviously,  
5 no one person could look at all elevators, by  
6 themselves

7 COUNCIL MEMBER YASSKY:  
8 [Interposing] Well not look at them, but I mean  
9 who looked at the whatever data was assembled  
10 about the--can you describe that process and I,  
11 again, I know we're going to detail here, but I  
12 feel like this really is the nub of it, is--it's--  
13 I commend you for increasing the budget, I commend  
14 for doing the more work, but I really feel that I  
15 need to be able to tell my constituents that the  
16 elevators that are the most in need of it are the  
17 ones being addressed and so can you tell me--take  
18 me through the process?

19 DOUGLAS APPLE: So I'm actually  
20 going to let the person to my right, Brian Clarke,  
21 who's in charge of all of our elevator operations  
22 kind of talk about that process, because if  
23 there's anybody who's an expert around here, it's  
24 Brian, Bobby Podmore, who sits behind--well, no,  
25 that's not Bobby Podmore, you look better than

1  
2 Bobby Podmore--Bobby Podmore, who's in charge of  
3 all of our operations and directly behind me, John  
4 Ashton who's a 30 year veteran of the Housing  
5 Authority and really a nationally renowned expert  
6 on elevators. So they're the three key people,  
7 but I'm going to let Brian explain to you kind of  
8 that process.

9 TINO HERNANDEZ: Sure. And--

10 [Off mic]

11 TINO HERNANDEZ: --before you start,  
12 I just--Councilman, again, I want to reiterate  
13 that we went through a rather independent process  
14 of having a company appraise all of our  
15 properties, all of our systems, all of our  
16 infrastructure, so that's a base to determine  
17 that. The other thing is that we have replaced  
18 elevators, I believe 2,000--

19 MALE VOICE: Yeah.

20 TINO HERNANDEZ: --2,000 elevators,  
21 out of the 3,335 and we're looking to do another  
22 500 to 550 over the next five years and--

23 COUNCIL MEMBER YASSKY:

24 [Interposing] You mean over the last seven years,  
25 you've replaced 2,000--what's the time period

there?

TINO HERNANDEZ: More a decade, in a decade.

COUNCIL MEMBER YASSKY: Over the last 10 years.

TINO HERNANDEZ: Right, in the last 10 years, yeah. So we're talking 2,000 that have already been done, we're talking about 500 to 550 that we will do over the next five years, and there is--and you're asking actually very fundamental questions that I asked at the beginning, you know, I'm a layperson on elevators also, I wanted to have sort of like very concrete ways of being able to sort of analyze the information here and then I began to understand the complexity of elevators, as Doug is indicating, that if you have a building in a--an elevator in a high-rise building and it has 25 floors, it's stopping at each and every floor. You have hundreds and thousands of people, you have millions of rides that are going on on a daily basis. You do have these anomalies where you have elevators that are older, that are actually in better working condition than some of

1  
2       them that are newer. It may be what would be  
3       helpful at the end of the day, we can have Brian  
4       describe it, but for us to maybe lay out for you a  
5       formula of all of the indicators that go into  
6       making decisions about elevators, small versus  
7       large, you know, buildings, etc.

8               COUNCIL MEMBER YASSKY: Well, okay,  
9       let me just--and, yes, I'd like you to take me  
10      through it. You used the word formula, Mr. Chair  
11      and Mr. Director, but I mean I'm assuming that  
12      it's not an actual formula as in number of outages  
13      times age times some--I'm assuming that that's--  
14      there's not a real formula that's susceptible of  
15      putting on a spreadsheet, right? So it requires--

16             TINO HERNANDEZ: No.

17             COUNCIL MEMBER YASSKY: --so it  
18      requires somebody who knows what they're talking  
19      about using some judgment and looking at that data  
20      and I'm gather--I'm going to guess that that's  
21      what you're saying is you have done and that's why  
22      I ask kind of who is that--who's that person and  
23      take me through the process.

24             DOUGLAS APPLE: Let me be clear,  
25      that what we're doing.

COUNCIL MEMBER YASSKY: Okay.

DOUGLAS APPLE: Because this process--obviously, we have moved very simply develop a plan. I cannot today give you the list of the developments that will be necessarily the first in this grouping we've talked about, some we know, there's 157 cars that are already in our capital plan and we've already talked about and the staff has seen that are ready to go. We're adding more money to our plan to do another 200, those 200 are the ones that we still need to determine which developments and which cars and what Brian's going to do is walk you through the process we're going to use for that, which is, frankly, the process we use, as the Chairman says, for many years to make decisions on how we allocate resources. So, Brian, you want to talk about that?

BRIAN CLARKE: Sure, so the, you know, as Doug said, we do look at the age of the equipment, but also the condition, certainly use, you know, high-rise buildings versus low-rise buildings. Also availability of parts, you know, some companies have gone out of business, it's

1 more difficult to get parts for them. So we'll  
2 look to replace those elevators sooner. What we  
3 do is, you know, each year it's really kind of a  
4 fluid process, but we review, you know, we review  
5 our inventory and we take--we sit down with the  
6 people that actually maintain these elevators on a  
7 day-to-day basis. So, for example, in Manhattan  
8 management, we would sit down with Manhattan  
9 management people and kind of review their  
10 elevator issues that they have with the equipment.  
11 We have our technical experts and Technical  
12 Services Department that would review that as  
13 well. We also take a look at the technology out  
14 there, I mean, you know, we have elevators right  
15 now that might be 10-years-old, but they might  
16 have relay logic technology, a relay logic board  
17 is much different from the solid state boards that  
18 we want to move to--the computerized technology.  
19 So we might take a look at a development and look  
20 to try and, you know, move that up, you know,  
21 because of issues that we're having with the  
22 control board. So, I mean, that's kind of really  
23 kind of a, you know, a very much a kind of a, just  
24 an overview of the process, but it's collective,

there's a number of factors that we review and, as you know, as Doug and the Chairman, said it's a process.

COUNCIL MEMBER YASSKY: And did I just hear Doug say that you have not done this yet for the 200 to decide what your--how you're going to spend this money, when--over what period of time will you be doing that?

DOUGLAS APPLE: As the Chairman said, is NYCHA, as you know, is a calendar year budget agency, unlike the city so we're actually in the midst of developing our capital budget for 2009. So as we do that process in the next really several weeks, we're going to then again go through this process. We have all the data, in fact, we've actually shared a large portion of the data with your staff, they've seen outage data, they've seen the age of equipment, they've seen a lot of these indicators. So it's--the data is readily available, it's the human analysis and judgment that I think still has to happen.

COUNCIL MEMBER YASSKY: Okay. So I guess, let me leave this part of it then by asking, will you, as soon as you have determined

1  
2 what you think are the 200 top priority elevators  
3 to be replaced, will you communicate that to me  
4 and I guess to my colleagues here?

5 TINO HERNANDEZ: We're committed as  
6 I indicated in my testimony to go through a  
7 process that involves all elected officials,  
8 involves also resident, all stakeholders. We're  
9 going to go through a process that lays out what  
10 our--how we prioritize these developments, the  
11 reasons, the factors for doing that and we will  
12 certainly speak with you--

13 COUNCIL MEMBER YASSKY: Okay.

14 TINO HERNANDEZ: --before we make  
15 those determinations.

16 COUNCIL MEMBER YASSKY:

17 [Interposing] And then the other part of my  
18 questioning is, what about on the repair side? If  
19 I--from your testimony, you made reference to 5,  
20 \$6 million increase in the budget for--it wasn't  
21 clear to me if that's more inspections or more  
22 repairs or both. [Pause] And the reason I ask  
23 this, if I get it, I mean, I'm--you have provided  
24 data, thank you. As I--just my quick calculation,  
25 a NYCHA elevators has an outage an average of

about 10 times a year, is that right?

MALE VOICE: [off mic] than that.

TINO HERNANDEZ: Yeah.

MALE VOICE: [off mic]

COUNCIL MEMBER YASSKY: I mean I'm saying each elevator is out of service on average roughly 10 times a year.

DOUGLAS APPLE: I wish. On average, and, again, it varies and we've talked about some of our strategies to reduce that, the fact that we have reduced it in the past year, but on average an elevator is out roughly one time per month.

COUNCIL MEMBER YASSKY: Yeah, okay. Roughly 12 times a year. So here's my question, I mean, now I--if two-thirds of your elevators or whatever, 40% of your--rather 2,000 out of 3,300, whatever that is, are out--are less than 10 years old, that tells me the a lot of newer elevators are--have pretty high outage levels. Am I right that that is--would be a lot higher than the private sector? Or I mean, if I--a private sector off apartment building, do they have 12 outages a year?

[Pause]

DOUGLAS APPLE: And the Department of Buildings might be able to answer some of this 'cause they obviously deal with the entire city as opposed to just us, but in sort of talking to some of the larger property owners, especially of affordable housing, Mitchell-Llama, places like Co-op City, places like Starrett City, especially places that have older infrastructure, infrastructure that's under a lot of stress every day because of volume and traffic, frankly, it doesn't seem that we're wildly different than those kind of properties. What I think we have found to be different is the level of vandalism is slightly higher in public housing and a lot of that is really very minor things, we're not suggesting that it's malicious, though sometimes it is, but many times it's, again, you know--and we all do this, right? We hold the door open for somebody that's coming in the lobby because we want to be polite, we want to let them get on elevator? Well by doing so, you could be jarring the safety equipment and causing an elevator later to go out of service. So sometimes it's things like that, it's the volume of use, it's the type

of use, and it's the sort of duration of that use that does cause there to be, frankly, probably a little more outages in NYCHA than in many buildings.

[Pause]

COUNCIL MEMBER YASSKY: Well, okay, I'm not going to pursue the question about whether it's the residents' fault or somebody else's fault.

DOUGLAS APPLE: I wasn't actually suggesting--

COUNCIL MEMBER YASSKY: Yeah--

DOUGLAS APPLE: --that, Councilman.

COUNCIL MEMBER YASSKY: --okay. It--I've, maybe you can forgive me for feeling like it's--that--for thinking that you were suggesting that by saying that there's more vandalism and it's the residents' behavior about holding--offer, you know, doors open, but so I guess my question is if it's the case that, you know, you've got a lot of newer, even newer elevators that are out 10 and 12 times a year, then that tells me that the repair side of this is as important as the replacement side. And--

TINO HERNANDEZ: That would be correct and that was the question that you asked previously and part of what happened, I believe, maybe two years ago with the Deputy General Manager, Doug, under Doug's supervision and Brian Clarke, was that there was a whole reorganization of the elevator division, really to deal exactly with what you're saying. To put the emphasis on preventative maintenance of elevators and that's really sort of one of the biggest priorities that we have now. So, yes, the new resources will go for inspections, they'll go for being able to deal with outages, but our biggest emphasis is to be-- to do preventative maintenance to see if we can reduce the number of outages and to keep the elevators in the state of good repair. And I would add that if we look at things kind of honestly, I don't think Doug was necessarily talking about just residents. I think the vast majority of our residents are very good people, people that care about the place that they live, but we do know that there is a coexistence of times where people maybe may do something minor, but there are times that we have to be concerned

1  
2 about crime within developments and there are  
3 people that come to the developments that may not  
4 even live in the developments that create problems  
5 with our elevators as well.

6 COUNCIL MEMBER YASSKY: I think we  
7 have the--and this will be my last question,  
8 Chair, I, you know, a few days or so after the  
9 tragedy at Taylor-Wythe, I wrote a letter, along  
10 with Chair Mendez and several of my colleagues  
11 here in the Council and all the other elected  
12 officials who represent the Taylor-Wythe  
13 development itself, in which we said, we request  
14 that NYCHA conduct a comprehensive evaluation of  
15 all its elevators and present a plan to the City  
16 Council that explains how, over the next year, the  
17 agency will move to address the worst cases. We  
18 also request that the agency provide the Council  
19 with a cost estimate for bringing all elevators in  
20 NYCHA residences into a state of good repair.

21 This was August 21st and I guess, I think I heard  
22 General Manager say earlier that the ballpark  
23 figure for that would be 350 million or so and I--  
24 so I--that's for the second part, the state of  
25 good repair. I think I understand that you--your

1  
2 plan for addressing the worst cases is you've put  
3 the money in the budget and you will be figuring  
4 out what you think are the worst cases and telling  
5 us when you've done that and then, of course,  
6 which ones those are, so I look forward to that.  
7 This is, you know, two months ago, but I  
8 understand that this is a big project, so thank  
9 you.

10 TINO HERNANDEZ: Thank you.

11 [Pause]

12 CHAIRPERSON MENDEZ: Everyone's  
13 having trouble with this. Thank you, Council  
14 Member Yassky. Council Member Melissa Mark-  
15 Viverito:

16 COUNCIL MEMBER MARK-VIVERITO: Thank  
17 you, Madame Chair, and good afternoon. You know,  
18 I want to be touching on a little bit what's been  
19 touched on a lot, but I'm trying to get some  
20 additional information, but I just want to echo  
21 some of the sentiment that was expressed by  
22 Council Member James earlier that, you know, we  
23 believe and understand that NYCHA is doing, you  
24 know, the best that it can obviously. In your  
25 testimony that you've provided, there clearly have

been some changes in the way that you're doing inspections and the systems that you're implementing, so there's always room for improvement with any agency, but, you know, we need to be very clear that it's always very easy to blame NYCHA, you know, in situations like this and just, you know, kind of beat you guys in the press and over the head and that's not, again, not to say that there is always room for improvement and you're demonstrating that by some of the changes that you're implementing, but let's not lose sight of the fact that, as a city and as a state, we have really turned our back on public housing and that there is a financial challenge here, plain and simple. You know, obviously we could do more if there was more money allocated to that. So that's a responsibility that we continue to have as elected officials and that we need to hold our feet to the fire and we need to hold our colleagues in government feet to the fire to make sure that we continue to provide the necessary resources. Having said that, you know, I wanted to get some clarity, I know you've been talking about the prioritizing of what elevators get

1 repaired or get replaced, but I want to understand  
2 internally within NYCHA, like what is the, you  
3 know, how do you keep track? You know, you  
4 mentioned some sort of COMPASTAT kind of program,  
5 you know, I want to understand that when somebody  
6 calls in a repair and you're talking about  
7 prioritizing, what do people look at? Like what  
8 information is readily available to then determine  
9 this gets bumped up to the top, this get shifted  
10 to the bottom. You know, how is that--and is that  
11 something that maybe at some point you could share  
12 with us to see how, in fact, do you keep track of  
13 that information internally, what is your software  
14 system database? Like, what do you use in order  
15 to make those decisions? I don't know, that may  
16 have been discussed earlier, but I was--I got here  
17 little late, but I would like to understand that  
18 part of it as well.

19  
20 TINO HERNANDEZ: Right. [Pause] I  
21 think I want to respond to the first part of your  
22 question first, because it's something that the  
23 board--the entire board has been discussing. In  
24 reality, I agree with you that we should be held  
25 accountable for providing the best possible

services for our residents and this--these incidents have redoubled our commitment to ensure that we preserve public housing. We do have a concern very often, we know that the City Council are very strong proponents of public housing, but we do know that there is a philosophical divide in this country and in the city. There are people that support public housing and there are people that would want to do away with public housing.

And very often I get concerned that sometimes when we have incidents as tragic as this and, you know, again, my condolences go to the family, that the work that we do, the importance that we provide, the housing that we provide for residents of low and moderate income, that all of that can get overshadowed. And while I agree with you that we should always have a constructive criticism, my fear sometimes or our concerns is sometimes that people that are detractors do sort of take advantage of that, do begin to again sort of reinforce the negative stereotypes about public housing and its residents. And I think that it's important, particularly us--and I know I'm speaking to the choir--that we continue to renew

that commitment that public housing is very important and that we need to be able to fix problems that occur, be able to leverage resources, but renew that commitment that we have that public housing in New York City has to be something that's here to stay. That's the Mayor's commitment, the Mayor's been very clear that there will always be public housing in New York City, I know that it's a City Council's commitment and that's our commitment. And that's, I think, a very poignant thing that you said at the very beginning, because it's very important that we work together, particularly a time when you're having an economic crisis in New York City where you have to be concerned about people losing jobs, where you have to be concerned about how we continue to fund this vital resource. There are many ways that we sort of track our elevators. We did talk about COMPSTAT, it's a very detailed process, I know that all of our staff enjoy going to it on a regular basis and having to report and be held accountable for their particular portfolio and Doug can kind of explain that to you and I think we've had people come in the past if they,

1  
2 you know, if you want to come in some time and  
3 sort of listen to how that process works, you  
4 would be, you know--

5 COUNCIL MEMBER MARK-VIVERITO:

6 [Interposing] This is something that could be  
7 shown to us, is this something that we could see?

8 TINO HERNANDEZ: Sure.

9 COUNCIL MEMBER MARK-VIVERITO: I

10 mean 'cause I guess, you know, I--it's just  
11 fascinating 'cause obviously elevator repairs are  
12 something that happens 24 hours a day, right? I  
13 mean, you--something, somebody calls in, it's  
14 midnight, you know, there's an elevator down, then  
15 you have to figure out, you know. So who  
16 ultimately is the person individual or is it the  
17 program that you utilize to track this stuff that  
18 spits out, you know, what elevator gets fixed at  
19 that hour? You know what I'm saying? Like, what  
20 is the repair, which one gets prioritized, all  
21 that stuff? I mean, you know, I think my  
22 development, Wagner, has one of the worst outages  
23 and a lot of issues of there that was outlined and  
24 I know--I'm very familiar, so... But just, I guess,  
25 I don't know if it's been gone into, then fine,

but I would like to understand a little bit more  
in terms of the tracking [off mic]

TINO HERNANDEZ: We I mean,  
obviously, you already know that this is a very  
complex kind of program, you know, that the  
elevators are very, it's a very complex kind of  
program. We can begin to talk about that process  
now, we could also meet with you, walk you through  
the entire process of how we do this. We've  
actually have been meeting with various people and  
also showing them our training center, all of the  
new technology that we're using like the heldhand  
computers and the like. So we can start that  
process now and then also invite you and your  
colleagues to come out--

COUNCIL MEMBER MARK-VIVERITO: And  
I'd like to do that.

TINO HERNANDEZ: --and be able to  
take a look at, what we do and how we manage our  
elevator program.

COUNCIL MEMBER MARK-VIVERITO: Is  
that done from here?

TINO HERNANDEZ: Way do that from  
Long Island City, actually.

COUNCIL MEMBER MARK-VIVERITO: From Long Island City.

[Off mic]

TINO HERNANDEZ: Queens.

COUNCIL MEMBER MARK-VIVERITO: Okay.

TINO HERNANDEZ: Yeah.

COUNCIL MEMBER MARK-VIVERITO: So that's done through the call center as well or in a location where you have the call center?

DOUGLAS APPLE: So let me try to describe these 'cause we're talking about a number of different--

COUNCIL MEMBER MARK-VIVERITO: OF different things, right.

DOUGLAS APPLE: --processes. And let me just start with the, you know, the process associated with repairing an elevator when it goes out of service. Obviously, the first step is we get notified. Sometimes we know because we're in the building that--maybe the caretaker knows it's out, but generally the process is that people will call us in our central call center, we'll get a call from somebody that an elevator is out of service. We'll immediately if it's, you know,

1 during work hours, regular work hours and in  
2 general, we'll first dispatch the local staff  
3 'cause they're, as you know, staff in each  
4 development. The local maintenance worker will go  
5 there because many times that outage is a  
6 relatively minor thing--

7  
8 COUNCIL MEMBER MARK-VIVERITO: That  
9 could be fixed.

10 DOUGLAS APPLE: --that maintenance  
11 worker can fix or, in some cases, we have similar  
12 to when the police get a 9-1-1 call and there's  
13 nothing when they come, the same thing phenomenon  
14 happens with us is that we'll get a call an  
15 elevator is out of service because someone, let's  
16 say, pushed the call button, the elevator didn't  
17 come, so, rightfully so, they assume it's out.  
18 What the reality is maybe somebody had held that  
19 elevator for a long time on a different floor and  
20 we get there, it's actually running. So we first  
21 usually, in general, the cases we'll dispatch a  
22 local staff person. Now in many cases, as we  
23 talked about in our testimony, in about over 900  
24 elevators, we actually have a system--and this is  
25 why I think the Chairman would love to show you

our central call center and our training--elevator training facility, 'cause they're really all in the same complex. So if it's in a building that we already have remote monitoring, the staff will actually be able to check to see if that elevator's out of service or not and we'll know, so when we get a call we can dispatch immediately the right person to repair the elevator. So, again, during work hours, if the elevator is out and the maintenance worker can't fix it and that is a development, let's say Wagner, where we do have a dedicated team located, that team will then come to the building to do the necessary repair. So that would be the process, call it, you know, eight to four, Monday through Friday. As we talked about earlier, on nights and on weekends, the same process occurs, right? You call the central call center and say there's an outage, however, we have less staff. We do not have all those dedicated teams at Wagner, we now have teams that cover a part of northern Manhattan, let's say, so now one of those teams would have to be dispatched to that outage. And if there's, let's say, three or four outages in a neighborhood at

the same time, we might have to prioritize those calls based upon some of the things we talked about previously. But in terms of process, that's generally the process we follow. The other thing the Chairman was talking about is how do we monitored this, how do we assure accountability, and how do we know that we're actually--you know, how we're doing and where we need to focus our resources to do better. We have a process that we get data, literally every day, about where outages have occurred, what type of outages, and what steps we took to repair those outages. We look at this on a regular basis through a COMPSTAT-like process or we might focus in-depth on any one development or maybe one neighborhood and we look at all the outages for the past several weeks or all the outages for the past six months, we look at trends, we look at the reason for those outages, we try to come up with resource strategies, and we actually try to come up with ways to prevent the outages. So something we focused a lot on is our preventative maintenance strategy. So just like a car or any other mechanical vehicle or mechanical instrument, the

more preventive maintenance you do, the less likely you're going to get outages. So we actually have set a standard of three hours of preventive maintenance per car per month, so the maintenance staff in addition to doing the routine maintenance, is now required to do preventive maintenance on those cars. We track that on a car by car basis, we could tell you for any of the 3,335 cars how much P.M. we did last month. And we then look at that very closely and reassign resources as needs dictate.

COUNCIL MEMBER MARK-VIVERITO: Okay. I think that, I ,mean that's getting to it. So then you have it's like a triage, right? You basically get a call, you send the local staff to immediately look at the issue, see if it's something that can be resolved, okay. So it can't be resolved by the local staff.

DOUGLAS APPLE: Right.

COUNCIL MEMBER MARK-VIVERITO: Then that comes back, I mean, does--who lets you know, I mean, does--is it the staff says, okay, we looked at the elevator--

DOUGLAS APPLE: [Interposing] The

staff will let--know immediately--

COUNCIL MEMBER MARK-VIVERITO:

Right.

DOUGLAS APPLE: --the maintenance teams that do the actual--the elevator maintenance and they'll get dispatched immediately. There's not a need for the resident to call again, no.

COUNCIL MEMBER MARK-VIVERITO: No, right, I mean, the on-site staff--

DOUGLAS APPLE: Absolutely.

COUNCIL MEMBER MARK-VIVERITO: -- makes a determination whether they can solve it--

DOUGLAS APPLE: And then they--

COUNCIL MEMBER MARK-VIVERITO: --and then if not then they call the assigned--

DOUGLAS APPLE: [Interposing]  
They'll call in the assigned staff, yes.

COUNCIL MEMBER MARK-VIVERITO: -- staff. And basically the assigned staff, that's what I think we're trying to get at. The assigned staff is obviously going to have multiple jobs to take care of--

DOUGLAS APPLE: Potentially, yes.

COUNCIL MEMBER MARK-VIVERITO: --are

they--is that staff the one that then decides what gets prioritized? You know what I'm saying?

DOUGLAS APPLE: Right--

COUNCIL MEMBER MARK-VIVERITO:

Because if somebody has--

DOUGLAS APPLE: Right.

COUNCIL MEMBER MARK-VIVERITO: --

like 20 jobs on a day and you say--

DOUGLAS APPLE: Right.

COUNCIL MEMBER MARK-VIVERITO: --

this team has been given 20 assignments, then how does that team determine--

DOUGLAS APPLE: [Interposing] We have dispatchers--Brian, why don't you talk about how that process works?

BRIAN CLARKE: Sure [off mic] I'll get used to this. The way it works during the day is we have, as I talked about before, we have four management departments--

COUNCIL MEMBER MARK-VIVERITO:

Right.

BRIAN CLARKE: --that do the day-to-day maintenance, so the--in our borough offices, we have, you know, an elevator division or unit

1  
2 whatever you want to call it, but it's where our  
3 central supervisors are. So what'll happen is all  
4 our maintenance teams have walkie-talkies, so if  
5 we have a situation where we have multiple outages  
6 at a development, the call will go into our  
7 central--into the borough management office and  
8 what they'll do is they'll delegate resources, you  
9 know, to address that condition.

10 [Pause]

11 COUNCIL MEMBER MARK-VIVERITO: Okay.

12 So--

13 BRIAN CLARKE: Okay.

14 COUNCIL MEMBER MARK-VIVERITO: --

15 okay let me just, so you have a team of  
16 inspectors, this is what I'm getting at, right?

17 DOUGLAS APPLE: No, these are not  
18 actually not inspectors these are--

19 COUNCIL MEMBER MARK-VIVERITO:

20 Repair.

21 DOUGLAS APPLE: --elevator mechanics  
22 that do maintenance, yeah.

23 COUNCIL MEMBER MARK-VIVERITO:

24 [Interposing] That's what I'm saying, that's what  
25 I'm talking about.

DOUGLAS APPLE: I'm sorry, 'cause--

COUNCIL MEMBER MARK-VIVERITO: There are elevator--it's a team of elevator mechanics.

DOUGLAS APPLE: Right.

BRIAN CLARKE: Mechanics, yes.

COUNCIL MEMBER MARK-VIVERITO: Okay. That have as an assignment multiple developments, correct? They have probably a portfolio or they--

DOUGLAS APPLE: [Interposing] Again, it depends. Wagner Houses, we have a team there full time.

COUNCIL MEMBER MARK-VIVERITO: Just for that, just for that development.

DOUGLAS APPLE: But your right, in some cases, maybe it's a scattering of developments--

COUNCIL MEMBER MARK-VIVERITO: Right.

DOUGLAS APPLE: --they may cover more than one, absolutely.

COUNCIL MEMBER MARK-VIVERITO: Right, so then that's, I'm just--

DOUGLAS APPLE: Yep.

COUNCIL MEMBER MARK-VIVERITO: --

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again, sorry, I know I'm belaboring--

DOUGLAS APPLE: No, no, no--

COUNCIL MEMBER MARK-VIVERITO: --the point, but I think I'm just--I need to understand this as well because--

DOUGLAS APPLE: Sure.

COUNCIL MEMBER MARK-VIVERITO: --I'm just curious.

DOUGLAS APPLE: Sure.

COUNCIL MEMBER MARK-VIVERITO: So you have mechanic team that has assigned, let's say, multiple developments. Now they have to repair and maybe in a given day they have to repair in five different developments, let's say. So is it the borough staff that then makes the determination as to where--

DOUGLAS APPLE: Right.

COUNCIL MEMBER MARK-VIVERITO: -- they go first based on their understanding--

DOUGLAS APPLE: [Interposing] At a higher, right, at a higher level--

COUNCIL MEMBER MARK-VIVERITO: Okay.

DOUGLAS APPLE: --there's going to be somebody a sort of a supervisor who is looking

1  
2 at, not just the outage of that one development  
3 [crosstalk]--

4 COUNCIL MEMBER MARK-VIVERITO: But  
5 all the outages.

6 DOUGLAS APPLE: --the five outages  
7 in the area.

8 COUNCIL MEMBER MARK-VIVERITO:  
9 Correct. And then saying this one has to go  
10 first, this one has to go second--

11 DOUGLAS APPLE: [Interposing] Right,  
12 and then they're going to also say, wait a minute,  
13 but in the adjacent area, there's a team, but  
14 there's no outages, so why don't I move that team  
15 from here to come over to do some of those five  
16 outages. So those are--

17 COUNCIL MEMBER MARK-VIVERITO: Takes  
18 a lot of coordination.

19 DOUGLAS APPLE: --the kind of things  
20 that happen every single day. We have skilled  
21 staff to be honest who are veterans, who have been  
22 doing this for 20 plus years and, you know, like  
23 any system, it's not perfect, but I actually think  
24 we do--given, again, given the resources and given  
25 the diversity of needs, that we do a pretty good

1  
2 job of moving those teams around as necessary to  
3 get to the most critical and then we prioritize,  
4 as we said earlier--

5 COUNCIL MEMBER MARK-VIVERITO:

6 Right.

7 DOUGLAS APPLE: --if, for example,  
8 if we have one building that has three elevators  
9 and one's out and another building in the same  
10 area that only has one elevator--

11 COUNCIL MEMBER MARK-VIVERITO: And  
12 that's out.

13 DOUGLAS APPLE: --we're going to  
14 first do the one with only one elevator.

15 COUNCIL MEMBER MARK-VIVERITO: Now  
16 in the testimony, you indicate the R-the REMS  
17 system, right? Ad 920 elevators at 57  
18 developments, could you let us know what  
19 developments those are and--

20 DOUGLAS APPLE: [Crosstalk]

21 COUNCIL MEMBER MARK-VIVERITO: --  
22 would that mean in those 57 developments that  
23 every single elevator has that system or is it  
24 just one or two or...

25 BRIAN CLARKE: No, every single

elevator.

COUNCIL MEMBER MARK-VIVERITO: In those 57 developments has--

BRIAN CLARKE: Correct.

COUNCIL MEMBER MARK-VIVERITO: --has this R--

BRIAN CLARKE: Yeah.

COUNCIL MEMBER MARK-VIVERITO: --and as--

BRIAN CLARKE: Every single residential elevator, okay.

COUNCIL MEMBER MARK-VIVERITO: Okay. Now the--in your plans, in your capital plan in terms of the improvement and the upgrades to elevators, every new elevator that is installed has this system? Is going to have these systems, okay. And those that don't have it [pause] are you going to wait until you make an actual change, you know, and replace the elevator before you implement that system or there's some that you're also factoring into to phase in this system? [Crosstalk]

BRIAN CLARKE: Sure, the system--we can only install the system where we have a solid-

state technology control boards, which are computer-control boards, so that's the limitation. We can install it where we have these control boards and we have plans to do that. Anytime that we're going to upgrade an elevator, it's going to go in. But our developments that have that relay logic control board that I was talking about earlier, it's not feasible for us to install it there.

COUNCIL MEMBER MARK-VIVERITO: Okay. And so then just what's the--in terms of the next year, how many more do you plan, are going to have the REM system, you know, in the next two or three years, what is--how many do you foresee?

DOUGLAS APPLE: Our 5-year plan is to increase from what's now about 920 elevators to another 722.

COUNCIL MEMBER MARK-VIVERITO: Okay.

DOUGLAS APPLE: So over 1,600 elevators will have it by within the next five years, which is about half of the inventory of our elevators. As we're doing new upgrades, that'll get done, as well as some additional cars. Now what I think this speaks to is what the Speaker

1 was asking and, I think, Councilwoman Mendez and  
2 Councilman Yassky, is sort of what is really going  
3 to cost to do everything? Obviously there are  
4 things we're not able to do in our current plan  
5 given our limited funding and the federal budget  
6 cuts. So we will have about half of the elevators  
7 upgraded with this remote monitoring, but the  
8 other half, frankly, are not in our current  
9 capital plan and, as we explained to you, the  
10 total cost, those are going to be significant  
11 costs as part of this plan.  
12

13 COUNCIL MEMBER MARK-VIVERITO: Okay.  
14 Thank you very much, Madame Chair.

15 CHAIRPERSON MENDEZ: And I forgot to  
16 mention earlier that we were joined by Council  
17 Member Gale Brewer and she has some questions.

18 COUNCIL MEMBER BREWER: Thank you  
19 very much. I was next door so I was late, but two  
20 questions. One is parts, I know that thanks to  
21 Robert Knapp [phonetic], whom we adore in  
22 Manhattan, you respond very quickly. but parts  
23 seems to be a problem. So I know you mentioned it  
24 earlier, is that the older elevators? Is it  
25 something that as part of your challenges you're

1  
2 addressing, it's sort of like the voting machines,  
3 you know, it's not easy to answer. But what is--  
4 is the parts a challenge to repair?

5 BRIAN CLARKE: Sure, parts certainly  
6 can be, especially with the older elevators, if  
7 the originally--the original manufacture went out  
8 of business, it's difficult sometimes, we actually  
9 have to have the part fabricated, made from  
10 scratch.

11 COUNCIL MEMBER BREWER: So are we  
12 fabricating parts just in case they break down or  
13 do we wait because we just don't have the ability  
14 to do that until they do break down? I don't know  
15 how many parts we're talking about.

16 BRIAN CLARKE: We try to have  
17 strategic, you know, supplies of parts for  
18 repairs, but there's times when they're not  
19 available, you know.

20 COUNCIL MEMBER BREWER: Okay.

21 DOUGLAS APPLE: And this is one of  
22 those things, Councilwoman, we talked earlier  
23 about how are we going to make decisions about  
24 what elevators get replaced and we talked about  
25 the many factors. One of those factors is this--

COUNCIL MEMBER BREWER: Parts, yeah, parts.

DOUGLAS APPLE: --if we have an elevator, even if it's running well, but the parts are sold we can get it, the manufacturer gone out of business, that probably should be an elevator we put towards the top of the list--

COUNCIL MEMBER BREWER: Okay.

DOUGLAS APPLE: --for replacement.

COUNCIL MEMBER BREWER: Or you could do like the voting machines, you keep it someplace and then when the next one breaks down, you have the parts. That's what we do for the voting machines. And maybe you discuss this earlier, but the newer elevators do seem to be sometimes challenging. What--is there a warranty on an elevator? I don't know how that works.

BRIAN CLARKE: Yes, we do have warranty on the elevators, I think it's generally about a year, but I can follow up and get you information on that.

COUNCIL MEMBER BREWER: Okay. And then what happens, does the manufacture help you during that year in some way, shape, or form or

depends on--

BRIAN CLARKE: [Interposing] Yes, they're obligated to.

COUNCIL MEMBER BREWER: Okay. I have a stupid question, I have been to the Schindler Company, so I know what that is and then Phil Reed [phonetic] used to work for Otis, that's all I know about elevator companies. Are there many elevator companies?

BRIAN CLARKE: No, not as many as there used to be. A lot of them have been absorbed and have been bought up by some of the larger companies.

COUNCIL MEMBER BREWER: And are they in the United States or overseas or both?

BRIAN CLARKE: They're both, but there is, you know, companies in the United States still.

COUNCIL MEMBER BREWER: Okay. See, I know, we probably had a lot of questions about CCTV, I obviously have been to Urban Technologies and I know what you're doing in Staten Island. How would--I call it the Park Avenue system, in other words what we would like is in everybody's

1  
2 apartment for them to be able to see what's going  
3 on in the lobby and what's going on in the  
4 elevator. So I know you mentioned 72 buildings at  
5 22 developments by the end of 2009, is that--are  
6 those the Staten Island and the ones in the Bronx  
7 or are there other places where this is happening  
8 and what urban technology is considering, is that  
9 what we mean by CCTV?

10 DOUGLAS APPLE: Actually, they're  
11 two separate things--

12 COUNCIL MEMBER BREWER: That's what  
13 I thought.

14 DOUGLAS APPLE: --and really two  
15 very exciting things. One is, as you know, just  
16 the CCTV we've been doing frankly in partnership  
17 with you and many of your colleagues across the  
18 city where we just install cameras, cameras in the  
19 front entrance, cameras in the elevators, cameras  
20 in the stairwell, just so that'll give us another  
21 way to view into what's happening in an elevator.

22 COUNCIL MEMBER BREWER: Now that's  
23 when you have the film--

24 DOUGLAS APPLE: Yes.

25 COUNCIL MEMBER BREWER: --and then

if there's a problem, we can see what happened.

DOUGLAS APPLE: Yes, and what you're talking--

COUNCIL MEMBER BREWER:

[Interposing] Is that what you call CCTV?

DOUGLAS APPLE: Yes.

COUNCIL MEMBER BREWER: Oh, so I'm talking about something else.

DOUGLAS APPLE: Right, what you're talking about is actually a very exciting initiative--

COUNCIL MEMBER BREWER: Park Avenue.

DOUGLAS APPLE: --with a number of different vendors, one urban communications technology, that you mentioned, as well as Verizon in Staten Island where--and then another one called MST. What that is, is, exactly that is like a, kind of a video satellite system--

COUNCIL MEMBER BREWER: Right.

DOUGLAS APPLE: --that, yes, in each apartment you'll have an intercom, you'll have a view into the lobby, and we're doing that in a couple places. We're excited about that possibility--

COUNCIL MEMBER BREWER: Okay.

DOUGLAS APPLE: --and would love to see if there's a way to expand [crosstalk]--

COUNCIL MEMBER BREWER:

[Interposing] My question is, where that exists and there may not be enough examples, does that curtail some of the vandalism? In other words, does that help you with the challenges?

DOUGLAS APPLE: We don't yet have enough experience, we've just starting. One would intuitively think it should help, and we hope it does.

COUNCIL MEMBER BREWER: Well can some of the funding that you are using on the elevators be used towards this vandalism prevention system?

DOUGLAS APPLE: Actually, those models, and this is actually what makes it interesting to us, are really driven by private sector models. So the company, because they're also installing high-speed Internet and other things, cable--

COUNCIL MEMBER BREWER:

[Interposing] Right I've been--I seen it all,

1  
2 yeah.

3 DOUGLAS APPLE: --right so, you  
4 know, to be honest, they're going to be selling  
5 those services to residents, part of the service  
6 they're selling is this monitoring system that  
7 will help us all.

8 COUNCIL MEMBER BREWER: Okay. But  
9 they'll need basic funding to get the service in  
10 and then the funding--

11 DOUGLAS APPLE: [Interposing]  
12 Actually, they raise the funds because they get  
13 the revenue.

14 COUNCIL MEMBER BREWER: Okay.  
15 Depending on who you--whether you talk to the  
16 Bronx or Staten Island, okay. One final question  
17 is though then the challenges of trying to  
18 maintain them--CCTV in some version is one way to  
19 deal with that, what are some of the other ways  
20 that we can help you and help the residents, all  
21 of whom--or most of whom will live there, are  
22 fabulous as we know, make sure that the elevators  
23 are kept in working order? What else can we--what  
24 are some of the ways that we can do that?  
25 Together. Obviously, CCTV is just one.

TINO HERNANDEZ: Well as I indicated, Councilwoman, earlier in my testimony, we have been doing a lot with elevators. We recognize, you know, we take self-inventory on a regular basis, we take responsibility for having to improve. The thing that we're thinking that kind of works with fire prevention and everything else is that we think that we have to start a very, very strong citywide public education campaign that does a couple of things. One is that we can tell the resident leaders, and you know that we have a resident lead structural, we have to [crosstalk]--

COUNCIL MEMBER BREWER: Very much.

TINO HERNANDEZ: --structure, what we're going to do to improve around their life around elevators. We want to be able to then sort of come up with a model of mutual responsibility that all residents have a responsibility that for us to work in partnership so that we can deal with also reducing what does exist and I want to be honest with you--

COUNCIL MEMBER BREWER: No, I know [crosstalk]--

TINO HERNANDEZ: --I think you know that there's a level of vandalism that does occur in the developments.

COUNCIL MEMBER BREWER: Front door and the elevator door.

TINO HERNANDEZ: Right, and we need to sort of raise awareness about that and see if we can put our heads together to come up with a collective way of being able to deal with that. We're thinking about having a report card on vandalism, we're thinking of also talking to the police department, because, you know, we sort of-- I sort of see it as the broken windows theory, we do have cameras in places, cops are concerned about crime, right? And I know that they go after vandalism, maybe we need to figure out a more concerted way of being able to do it.

COUNCIL MEMBER BREWER: I can tell you how to do it.

TINO HERNANDEZ: Okay. Good, we'll be willing to talk to you about that--

COUNCIL MEMBER BREWER: [Crosstalk]-  
-

TINO HERNANDEZ: --certainly and I

also recognize that there's a lot of traffic that comes into these buildings that are not NYCHA residents.

COUNCIL MEMBER BREWER: Right.

TINO HERNANDEZ: I mean, we have to figure out a way of being able to deal with all those things. I think we have the ultimate responsibility, the majority of the responsibility, but I think that if we work collectively as stakeholders that we can address all of these problems.

COUNCIL MEMBER BREWER: [Off mic] My quick answer would be that you have some wonderfully strong resident leaders, they need support--

TINO HERNANDEZ: Right.

COUNCIL MEMBER BREWER: --the ones who are not so strong need to find something else to do and then you need to organize the residents to come to the meetings with the strong leaders and your wonderful management team be there so people understand if they, you know, there is a system for figuring out how you can be responsible. Where you have a good resident

leader and a good management you really have a good team.

TINO HERNANDEZ: Right, we've relied on the resident leadership as you know--

COUNCIL MEMBER BREWER: Right.

TINO HERNANDEZ: --in being able to do--

COUNCIL MEMBER BREWER:  
[Interposing] And we get rid of the bad ones in my district and we support the good ones.

TINO HERNANDEZ: Well, actually there's been a turnover I think over the recent years--

COUNCIL MEMBER BREWER: [Crosstalk]-

-

TINO HERNANDEZ: --and we have strong and energized, enthusiastic [crosstalk]--

COUNCIL MEMBER BREWER: Yes, so that makes a big difference in a build--okay. Thank you.

[Pause]

CHAIRPERSON MENDEZ: Thank you, Council Member Brewer. I have a few questions. In my opening I mentioned that the New York Times

1 reported that 20% of your elevators are  
2 satisfactory. I wanted to know what is  
3 satisfactory, what is unsatisfactory, and what  
4 would fall within those categories and is that  
5 number a correct number?  
6

7 [Pause]

8 DOUGLAS APPLE: Let me sort of talk  
9 about that issue and then Brian may amplify to get  
10 more into depth if necessary. As you know, as we  
11 talked about a little earlier, we are mandated by  
12 Local Law 10 to do an annual elevator inspection  
13 and then we do a second inspection on behalf of  
14 the Department of Buildings. The building code is  
15 such that there are 69 items on a checklist that  
16 must be checked in that inspection. [Pause] Any  
17 one of those items, no matter how minor they might  
18 be, results in us reporting to DOB that that  
19 inspection was unsatisfactory. [Pause] And I  
20 think we shared, or have shared, with your staff  
21 and you may have with you that checklist, so it  
22 really ranges--I see you have it. It ranges from,  
23 you know, very minor items like, you know,  
24 janitorial conditions in the mechanical room to,  
25 you know, something in the pit that may, you know,

be minor to even, you know, janitorial conditions in the elevator itself. You know, a paper on the floor could actually be a deficiency. So all those things, no matter how minor, require us under code to identify that inspection as unsatisfactory. We do so, we report that to Buildings and Buildings obviously tracks that in their process and in their systems. And, indeed, it is true, this is self-reported by us that roughly 20% of inspections are satisfactory and the balance are unsatisfactory. What that doesn't mean and what some of the reporting, frankly, got wrong and some of the reporting of others did, was misstate that that does not mean that the elevator is unsafe and that does not mean that NYCHA has not corrected that deficiency as required by the building code. We do correct those deficiencies. What's changing is starting in January we'll now be reporting that additional information to the Department of Buildings, we have, you know--and then we're working with them to sort of figure out how to do all that but that, yes, we believe that we can do better in this area and as we've stated and as reported and as part of our plan, is that

1  
2 we do plan to hire additional resources, you know,  
3 to do what we're calling, what I'm calling kind of  
4 preventive maintenance with a purpose, so when you  
5 go to a car, before an inspection's going to  
6 happen, we're going to change the process,  
7 especially in the most impacted developments. In  
8 developments that have number of higher of outages  
9 than other developments, we're going to actually  
10 have dedicated teams that will prepare that car  
11 for the inspection, that will, we believe, result  
12 in better outcomes of inspections, which, of  
13 course, get reported to the Department of  
14 Buildings to get monitored and tracked and will  
15 ultimately result in less outages in those  
16 developments. And that is very much part of the  
17 plan that we're initiating and talking about  
18 today.

19 [Pause]

20 CHAIRPERSON MENDEZ: Thank you, Mr.  
21 Apple. Of the 80% then that are--and is that  
22 number correct actually? The 20% that was  
23 reported in the paper?

24 BRIAN CLARKE: It's ballpark, you  
25 know.

CHAIRPERSON MENDEZ: Okay. So of the 80 odd percent that are unsatisfactory--

BRIAN CLARKE: [Interposing] I would say less than 80%--

CHAIRPERSON MENDEZ: Okay.

BRIAN CLARKE: --somewhere between 70 and 80, okay.

CHAIRPERSON MENDEZ: But can you tell me how many of those are real problems, maybe hazardous conditions, or somewhat hazardous and not technical things that make it unsatisfactory like, you know, the control room being dirty or one of these other things that give it an unsatisfactory rating?

BRIAN CLARKE: Yeah, the--you know, so far, I guess if we see an unsafe condition [off mic] and the technical term is an eminently hazardous condition, we take the car out of service, we'll remove it from service until it's repaired and then we re-inspect it. You know, as of mid-October, we--it happened 29 times out of our 6,000 somewhat inspection, so that's really less than 1% of the time.

CHAIRPERSON MENDEZ: So you have

1  
2 taken elevators and taken them off service because  
3 they're immediately hazardous.

4 BRIAN CLARKE: Because we find a  
5 condition that needs to be repaired before we can  
6 restore it to service, correct.

7 CHAIRPERSON MENDEZ: And in those  
8 kind of cases, how long does it take to get that  
9 elevator back functioning?

10 BRIAN CLARKE: It depends on the  
11 issue. The timing for that, when we talk about it  
12 takes 10.4 hours to repair, that's the overall,  
13 you know, that's the overall average for all of  
14 our outages, so it would include a situation like  
15 this when we took our elevator out of service.

16 MALE VOICE: I think we give the  
17 date on the [off mic]

18 CHAIRPERSON MENDEZ: I'm sorry, can  
19 you repeat the hours you said?

20 BRIAN CLARKE: Sure, sure, when we  
21 give you the, you know, the average, you know, the  
22 average time to repair an elevator of 10.4 hours,  
23 that's all outages, whether it's during the day,  
24 during at night, on a holiday, weekend, that's all  
25 of ours, so that includes simple repairs, as well

as long-term repairs, such as if we had a situation where, you know, the elevator was required to be out of service for weeks, like if we had a fire inside the elevator.

[Pause]

CHAIRPERSON MENDEZ: Okay. Now I don't know if NYCHA wants to answer this or if you want to defer to DOB, but what does DOB do when it finds that there is an elevator problem?

[Pause]

STEPHEN KRAMER: Good afternoon, my name is Stephen Kramer, I'm senior counsel of the Commissioner. Well it depends, of course, on what kind of problem there is. When we go--we do two kinds of audit inspections at the Housing Authority, one of which is for the Local Law 10 inspections and the other is for the 5-year inspections and for either one, if we find an unsatisfactory condition, we would either issue a violation or, I in fact actually never heard of this, but we certainly would if we found an unsafe condition, we would take it out of service as well. But the Local Law 10 inspections which are unscheduled, unannounced inspections, you know, we

1  
2 go there on a regular basis and if we find  
3 unsatisfactory conditions, we will report them,  
4 then they're not reported in any--they're not  
5 treated any differently from the ones we do it  
6 privately owned buildings and the failure rate is  
7 comparable.

8 CHAIRPERSON MENDEZ: Mr. Kramer, so  
9 what does it mean to issue a violation?

10 STEPHEN KRAMER: We would put it  
11 into our building information system and it goes  
12 up on the web.

13 [Pause]

14 CHAIRPERSON MENDEZ: And I know at  
15 HPD there are different levels of violation, you  
16 know, A, B, and C, and some have to be fixed  
17 immediately, does that also happen here at DOB and  
18 does that happen with issuing--

19 STEPHEN KRAMER: Yeah [crosstalk]--

20 CHAIRPERSON MENDEZ: --violations  
21 [crosstalk] elevators?

22 STEPHEN KRAMER: --we will, as--on  
23 July 1st of this past year, the new codes went  
24 into effect and there were some early three  
25 categories of violations, one a Class 1, 2, and 3.

1  
2 However, for the majority of these would either  
3 be--I'm informed would either be Class 2 or Class  
4 3, but if it were a serious one--serious enough  
5 violation, the elevator would have to be taken out  
6 of service, it would be a Class 1 violation.

7 CHAIRPERSON MENDEZ: So Class 1 is  
8 the highest violation it would require elevator to  
9 be taken out of service--

10 STEPHEN KRAMER: [Interposing]  
11 Anything which would require an elevator to be  
12 taken out of service would be Class 1, immediately  
13 hazardous and would be--and it would be labeled as  
14 such.

15 CHAIRPERSON MENDEZ: And has DOB  
16 issued any violations to the Housing Authority in  
17 the last two calendar years and I know the code is  
18 new, but were any of them--

19 STEPHEN KRAMER: [Interposing] Yes,  
20 we have, we started our program of auditing and  
21 inspecting the Housing Authority inspectors about,  
22 I think it was about the middle of last year [off  
23 mic] last fiscal year, I know we're on a different  
24 calendar versus fiscal year basis and in 2007 it  
25 was not a full-year basis, we issued about--I can

1  
2 get you the exact figures--70 75 I think  
3 violations and this year it's been about 285  
4 violations, which is to be expected given the much  
5 more frequency that--higher frequency that we're  
6 going to those buildings. [Pause] But those  
7 violations are just of the type which were just  
8 described here so they--I've seen a couple of them  
9 they can be for exactly the type of violations  
10 whether it could be a leaking oil, it could be for  
11 a dirty elevator pit, dirty mechanical room, a  
12 loose door gib--there could be many different  
13 factors, which do not require an elevator be taken  
14 out of service, but that we require our inspectors  
15 to note the violation and put it up on the web so  
16 it's visible and the Housing Authority has the  
17 ability to correct it.

18 CHAIRPERSON MENDEZ: The MOU between  
19 DOB and the Housing Authority has been in  
20 existence since 1991, is--that's correct?

21 STEPHEN KRAMER: Yes.

22 CHAIRPERSON MENDEZ: And so why now  
23 are we having more frequency of inspections by the  
24 DOB--

25 STEPHEN KRAMER: Last year, I think

1  
2 it was about in the middle of 2007 calendar year,  
3 we basically added sufficient staff and our  
4 elevator staff was expanded so that we could get  
5 assigned staff to those 3,300--it's more than  
6 3,300 elevators, it's a--it was a large increment  
7 of there, but we--our elevator staff of inspectors  
8 is now up to 40, 41 full-time inspectors and we  
9 felt that we could dedicate the staff for that.

10 [Pause]

11 CHAIRPERSON MENDEZ: So this is--and  
12 is there more increase inspection citywide with  
13 private owners as well?

14 STEPHEN KRAMER: Yeah, the--we--  
15 there is a higher level of inspection citywide,  
16 but the vast majority of the inspections that we  
17 perform in private elevators--privately owned  
18 buildings are performed through contract through  
19 licensed elevator agencies and inspectors.

20 [Pause]

21 CHAIRPERSON MENDEZ: This question  
22 is both for DOB and NYCHA, how do you both monitor  
23 the quality of the repairs and maintenance work  
24 done by the NYCHA staff?

25 DOUGLAS APPLE: Well let me start

with that, obviously that's something that's very important assuring quality so we have obviously, the repair staff who do the actual repair but then, we have supervisors, right? Every borough, as Brian talked about earlier, that the repair is generally done at--by borough staff, staff assigned to those boroughs, they may be in a development, be it Wagner Houses, be it Baruch Houses. We have supervisors that have the responsibility to supervise, as well as to check work, so they'll go to a development where work has been done, they'll check the machine room, they'll check the repair that might have been done, they'll look at logbooks 'cause every machine room has a logbook. They'll look at work tickets to see that work was--if we said we're going to do X, that there is a appropriate signoff that it was done, they'll look at, you know, the supply room to see all the parts are, so they'll go through a thorough process in a development to check the work in the development and the work of that team. And then above that, frankly, we have higher level supervisory staff reaching all the way up, so we have a centralized unit that really

1  
2 does some of the citywide monitoring, so they'll  
3 do sort of quality control overall, they'll do  
4 training. As some of your staff got the  
5 opportunity to come visit our elevator warehouse,  
6 or we call it the Training Academy, they got to  
7 come out and see the kind of things that we do,  
8 they got to see how we train the staff, and those  
9 are all really very much parts of our quality  
10 control program.

11 CHAIRPERSON MENDEZ: And we can  
12 organize another--

13 DOUGLAS APPLE: [Interposing] We  
14 would, we--

15 CHAIRPERSON MENDEZ: --such tour for  
16 the [crosstalk] members--

17 DOUGLAS APPLE: --John Ashton loves  
18 to give tours. Are you charging yet, John, for  
19 those tours or no? No. [Pause] We're not  
20 charging.

21 [Pause]

22 CHAIRPERSON MENDEZ: In, you know,  
23 as I'm quoting the New York Times a lot, I get all  
24 my information from there. I've read recently  
25 that a woman in a wheelchair has not been able to

get out of her home so often she's on the verge of losing her job. [Pause] About a year or so ago, a woman in Bushwick, in the Bushwick Houses passed away, the elevator had been out for I don't know how long and she walked up the steps and ended up having an asthma attack and, unfortunately, died as a result. So there are all these different stories, but what I want to know, and certainly the more recent ones, is how many accidents have occurred in the past two fiscal years or let's say the last two calendar years which have resulted in injuries, fatalities, or property damages?

[Pause]

STEPHEN KRAMER: So you're not asking the former question. I'm not sure.

[Pause]

CHAIRPERSON MENDEZ: Calendar years.

STEPHEN KRAMER: Okay.

CHAIRPERSON MENDEZ: Of how many of these incidents have turned into fatalities, injuries, and or property damage?

DOUGLAS APPLE: And let me just first say that obviously our highest priority is just the most [pause]--

MALE VOICE: Identify yourself.

RICARDO MORALES: It's Ricardo Morales, general counsel. We could provide you a list of what's outstanding on that and, through litigation some of the questions I may not want to pursue at this moment 'cause there might be some active litigation on some of the cases you just mentioned.

[Pause]

CHAIRPERSON MENDEZ: Okay. So let's, you know, and if we can get it for the last two calendar years, we'll take a look at that information and we'll follow up.

RICARDO MORALES: I would say that we do not have a great deal of fatalities and that's why I thought I was going to respond to your former question that given the circumstances of recent incidents, I really do not want to get involved in any discussions about any of the incidents at this point. [Crosstalk]--

CHAIRPERSON MENDEZ: [Interposing] I'm not asking for a discussion on the incidents, I'm more or less looking at numbers of what may be certainly the fatalities we've read around in the

paper, you know, injuries that we may not be aware of that don't get reported in the papers and if you have those numbers and if you can share that with us now.

RICARDO MORALES: I would have to consult with counsel to make any determination about what numbers we will disclose at this time are not.

[Pause]

CHAIRPERSON MENDEZ: Fair enough. Let me--I'm going to wind this up, but [pause] there's--I was--when you're talking about the general life of an elevator, you're saying it's 10 to 15 years and we're talking about upgrading it. Now are we talking about upgrading the cab, the cables, or a complete overhaul with the new cab, a new cable? I know in some of your developments, you have sliding--the sliding elevator doors and some of them are the pull doors and, you know, if one or the other causes more repair problems?

[Pause]

BRIAN CLARKE: Yeah, you're correct, we do have two different types of doors, we have the slide door and the swing doors. The swing

1 doors are installed pretty much because the  
2 construction of the building that it can't  
3 accommodate the slide door going back into the,  
4 you know, back into the wall, so we can't switch  
5 out, you know, slide doors for--we can't switch  
6 out swing doors for slide doors. The swing doors  
7 are problematic, you know, they do tend to have a  
8 few more outages than slide doors overall.  
9

10 [Pause]

11 CHAIRPERSON MENDEZ: Thank you.

12 Again, when the incident first happened with Jacob  
13 Neuman, there was an article in the New York  
14 Times, which made reference to that some of your  
15 employees are allowed to have other jobs. So they  
16 work inspecting for the Housing Authority, but  
17 they're also allowed to have other employment.  
18 And just from what I read in the various papers,  
19 it just seems that that's a--it's unclear how  
20 difficult that is to do because what some of the  
21 building managers were saying in some of these  
22 private buildings and inspections are basically  
23 done 9-to-5 when the super can give access to the  
24 workers and the inspectors to come. So how many  
25 of your employees--and I'm assuming that's the 400

1  
2 number that you gave us earlier--actually have  
3 other work besides, in this field, that they do  
4 besides the work they do for the Housing  
5 Authority?

6 TINO HERNANDEZ: Respectfully, I  
7 would say that that is not some of my employees  
8 are free to have outside jobs. I think that  
9 that's a city policy that includes all government,  
10 including the City Council. I would say to you  
11 this that I am aware of the reports. City  
12 government employees have the right to have  
13 outside employment, in most instances, they can do  
14 that. They apply for a waiver when there is a--  
15 there could be an issue of them doing business  
16 with the city agency or if there's some concern  
17 that it can conflict with their functional  
18 responsibilities. It's their responsibility to  
19 represent that that's not the case, that they  
20 would not use city resources, city time or there  
21 isn't any conflict of interest in the work that  
22 they're doing. There's an internal review process  
23 in the Housing Authority that reviews those  
24 applications, they have to be signed off by a  
25 high-level supervisor, it has to go through our

1 law department and our chief ethics officer and  
2 then a determination is made to forward that to  
3 the conflict of interest board, which has the  
4 ultimate authority to approve that based on the  
5 representations made. I personally believe that  
6 we have a highly dedicated elevator staff. That's  
7 not to say that they're all perfect, right? I did  
8 have some concerns about the article once I read--  
9 but I would say this about the article, one, is  
10 that we--I am aware that in some instances they  
11 were following some the staff members around, they  
12 didn't really report any particular wrongdoing  
13 that we're aware of. I've done two things, one,  
14 given the circumstances of the entire management  
15 analysis of the elevator operations, I've placed a  
16 moratorium on any outside employment for now. And  
17 we are now reviewing all people that have outside  
18 employments, moreover, the Department of  
19 Investigation is really conducting an  
20 investigation to see if there's any real  
21 malfeasance involved with anyone that had outside  
22 employment at this point.

23 [Pause]

24 CHAIRPERSON MENDEZ: Thank you. And  
25

prior to the moratorium that you've now instituted, how many of the employees at the Housing Authority that work on elevators did have outside employment?

[Pause]

[Off mic]

TINO HERNANDEZ: We'll have to get back to you, the number that we had were--we had issued 16 waivers over a period of time--for how long?

MALE VOICE: Five.

TINO HERNANDEZ: Five years, I am aware that some people had also approved a waiver and then not actually taken a job or were working in part-time situations. We'll get that information to you.

CHAIRPERSON MENDEZ: Okay. There is a lot of information we've requested and we will sit with your staff to go over all the information you said you would get back to us on. My last set of questions is about private elevator companies. Does the Housing Authority hire any private elevator companies and, if so, whom?

[Off mic]

DOUGLAS APPLE: Councilwoman,  
because we have many different--for any part--are  
you asking about inspections, are you asking about  
maintenance, are you asking about capital upgrades  
or all of the above?

CHAIRPERSON MENDEZ: All of it.

DOUGLAS APPLE: As it goes to the  
maintenance of elevators, NYCHA staff does that  
maintenance, NYCHA staff oversees and supervises  
that work. Inspections are done by NYCHA staff,  
which is going to start to change, as we mentioned  
in our testimony, in January of '09 with the  
implementation of a new portion of the building  
code that amends Local Law 10 and requires to have  
an independent third-party either conduct the  
inspection or witness the inspection and that  
third party has to be an outside entity. It is  
our intention and plan, and we're working with  
Buildings to implement this to be consistent with  
the new code, which will require us to bring in  
contracted licensed elevator inspection companies  
to witness the inspections that we do. Our  
capital work is done by capital contractors under  
contract through a bid process and award process

and in cases that we have an elevator under capital work, we may actually have that contractor also do the mandated inspections, as well. So that is one case that they might, but that's only in the case of a capital upgrade.

[Pause]

CHAIRPERSON MENDEZ: Thank you. Now on the--with the new implementation of the building code, will that have increased expenses for the Housing Authority?

[Off mic]

DOUGLAS APPLE: Is that Mr. Clarke?

BRIAN CLARKE: Yes, it will.

CHAIRPERSON MENDEZ: Do you have an estimate of how much that would cost the authority?

BRIAN CLARKE: Sure, anywhere from 1 1/2 million to \$2 million a year.

CHAIRPERSON MENDEZ: And is that currently put into your budget deficit? You're taking that into account?

DOUGLAS APPLE: No, actually that's a new mandate. When we talk about rolling out a new program, it'll be part of that program, but

now we're going to have to go through a process to reallocate our budget gap and figure out how we're going to fund that.

CHAIRPERSON MENDEZ: So we can add approximately 2 million to the, what 196 million budget deficit that the Authority is--

DOUGLAS APPLE: [Interposing] Well I think what we need to do and we're doing is we're up--you know, as you know, budgets are fluid documents and in a \$2.8 billion agency, there's a lot of changes all over the place. So what we're doing is we're doing what we always do, which is we're updating our budget, we're taking into account additional revenues we might be receiving, we're taken into account potential, you know, unexpected needs like this and all of that will go into formulating our 2009 budget gap, which will be updated really consistent with the way the city does its budget process.

[Pause]

CHAIRPERSON MENDEZ: I want to thank the Housing Authority for coming here today and answering all our questions. I want to thank the Council Members who have been here throughout the

hearing and Baaba Halm, the attorney, and Ben Goodman, who always do a lot of work for this committee, and they will be following up with your staff as to all the items that we discussed today that you would get to us. Thank you very much. I now want to bring the Manhattan Borough President, Scott Stringer, to the stand.

MALE VOICE: Thank you,  
Councilwoman.

CHAIRPERSON MENDEZ: Thank you.

[Pause]

[Off mic]

SERGEANT AT ARMS: Meeting is not  
over yet, quiet, please.

[Pause]

CHAIRPERSON MENDEZ: Mr. Borough  
President, whenever you're ready. It's a pleasure  
to see you.

SCOTT STRINGER: Thank you, Madame  
Chair. I want to thank you and Speaker Quinn for  
convening this hearing and I'm glad to see the  
members of the committee here today. I do want to  
start by recognizing Tino Hernandez, the Chair of  
the Housing Authority, who testified for his

dedication and commitment to one of the very hardest jobs in government. The challenge he faces is not simply the Housing Authority's familiar problem of severe budget pressures and revenue streams drying up, it's that he's responsible for housing hundreds and thousands of New Yorkers, many of them the most vulnerable among us. As you know, one month ago, on September 26th, my office released a report on Housing Authority elevators called, Dangerous Neglect. We examined the inspection record since January 1st, 2004, for every Housing Authority elevator in New York City--over 3,000--and we found that for the most frequent class of inspections, 75% of Housing Authority elevators graded unsatisfactory. The reaction from some was no need for worry, these are mainly minor problems, just a broken light bulb or some other small thing. I said then and I say again to you today that when so-called minor problems are allowed to become the norm, people end up getting injured or killed. Among our report's recommendations was a call to establish targets for improved performance on inspections, urging

the Housing Authority and other responsible city agencies to set one-year and five-year goals.

Today's announcement by the Housing Authority that new elevator maintenance teams will be put to work at the 10 developments with the worst breakdown records with the goal of reducing unsatisfactory grades to 30% is a very welcome recognition of the link between inspection grades and tenant safety.

I want to see that we take the next step, setting a target for improved inspection grades for all the city Housing Authority elevators. But there is much more than that that has to get done and before I just give you a couple of

recommendations, I do want to just relate to you, and I know many of you on this panel know this firsthand, but it's important to understand that for so long, people in public housing have not had government as its champion. Elevators have gone broken for decades, people have accepted this as a way of life. Seniors do not necessarily think that they're going to be able to get back up to their apartment if they risk coming down in an elevator. We had a public hearing in Harlem right after our report and a young man came out on a

Friday night to say his mother wanted to be here, but could not take the risk that she could get back upstairs. People accept this as the norm and now we have this unique opportunity to be able to focus attention on a crisis that now results in serious injury or death. And I believe that we should have a sense of urgency on this issue, that we shouldn't simply accept what can't be done and start focusing on what can be done. When an 8-year-old boy tells me at George Washington Houses that he does not want to get into an elevator and he says, mommy you go into the elevator I'm going to run down 10 flights of stairs, that tells me we got a problem because the kids are afraid to get in those elevators. So I think that this is a great hearing because the City Council proved that when you do convene your hearings and we deal with crane safety and other issues, important legislation comes out and we can fix the problem. And I'm here on that basis based on what you and the Council were able to do with the Mayor on another issue we had especially in our borough about safety. So I want to just give you just a couple quick recommendations that we thought you

should consider. First and most urgently, every Housing Authority elevator must have door zone restrictor. Our research shows that these devices can cost as little as \$400. Some people in the Housing Authority said it could cost as much as \$3,000 to install a door restrictor in every elevator. We should purchase and install those door restrictors immediately, it takes away the choice from a stranded tenant or child whether to stay put or jump to safety if your elevator is stuck. That's a choice that we've seen results in death. Take away that choice from a five or six year old child in an elevator by making sure they can't open that door. That is a safety standard that we should not dismiss, but we should implement in this budget. Today, city code makes a distinction for elevators of different vintages requiring the door zone restrictor for new elevators, but not for older ones. That simply makes no sense. The Housing Authority is replacing the elevators in the development where Jacob Neuman lived, but that's only a start. There appears to be hundreds, maybe as much as a thousand Housing Authority elevators without this

essential piece of safety equipment. Please, let's fix that now--install that device to save lives. Second, the Housing Authority announced today that it plans to spend \$1 million on outside consultants to oversee routine elevator inspections. Now no question there's a need for improvement, but why do you need to go and play the consultant roundtable when you've got people on the city payroll at the Buildings Department and the Fire Department who have been under-used in this effort? The Department of Buildings conducts three elevator inspections over a two-year period for the city's privately owned buildings, but they don't do that for Housing Authority elevators. Let's bring them into the process. The Fire Department got called more than 10,000 times last year to rescue people from elevators, but as far as I can tell, FDNY fails to communicate regularly with the Housing Authority. Let's put to use all the city resources already at our disposal to fix this problem. And finally, we've got to see concrete results, real improvements in elevator safety and service for Housing Authority residents and we've got to see

it right away. At the hearing we held last month, we heard people talk about their frustration and their disbelief that they will be protected in these elevators. We have now seen so much focus on this, the tenants are no longer asking, they're actually mobilizing, they're angry, they're frustrated. It's a failure of our government if we can't get our arms around this. Now in just a matter of weeks we may have--we may very well--we'll have--we're certainly going to have a new president and maybe a President that's going to be more sympathetic. And I respect what we are dealing with a national crisis in terms of bailing out our companies, some of them in New York, that will help this economy, but we have got to begin to have a discussion with the federal government about how we protect our great resource in urban America, which is our public housing developments and we have seen this priority off the table federally. You, as the Subcommittee Chair, have fought single-handedly to add money to this budget, but now I ask you to add a policy recommendation as it relates to safety. If we don't fix the elevators, then we're not going to

1  
2 be able to do the other major capital improvements  
3 because we're going to always wonder what it will  
4 mean for people going up and down those housing  
5 developments without certainty of safety and I ask  
6 you to consider that. I thank you for this  
7 hearing, and I want to tell you our office is  
8 ready and willing to work with you to deal with  
9 this serious crisis in public housing.

10 CHAIRPERSON MENDEZ: Thank you, Mr.  
11 Borough President. First, I'll look to my  
12 colleagues to see if they have any questions?  
13 Council Member Brewer.

14 COUNCIL MEMBER BREWER: I think  
15 you've done a great job writing your report. One  
16 question that we--

17 SCOTT STRINGER: [Interposing] What  
18 are you doing up there, are you practicing?

19 COUNCIL MEMBER BREWER: No, I have--  
20 the seats were full--

21 SCOTT STRINGER: Okay.

22 COUNCIL MEMBER BREWER: --before you  
23 got here and this was the only available--

24 SCOTT STRINGER: Oh.

25 COUNCIL MEMBER BREWER: --space and

it's more space to spread out.

SCOTT STRINGER: I don't want to start--I don't want to start a rumor.

COUNCIL MEMBER BREWER: Good. The question is, I think the Housing Authority is trying to implement, perhaps because of some of the challenges that they faced, your report, the hearing, or whatever, but one of the issues is how to do ongoing tenant education and try to prevent some of the challenges that exist just in terms of people using the elevators. And I guess my question is certainly the stopper as you called, is one example, but are there other ways? I'm a big proponent of the CCTV, which I guess is translated into cameras and then sometimes intercoms that have application in the lobbies and the elevators, etc. So I just didn't know in your report or just talking to people if you have found that there are other ways that as a community we can help prevent, not just vandalism, but just secure better maintenance?

SCOTT STRINGER: I agree with you, especially as it relates to vandalism, kids being playful on an elevator. We now saw at Fulton

Houses the tragic fire, the whole issue of education relates to the alarm systems and things is a lot of educational work that we have to do, I know that you do this on a regular basis, I think I'm going to see you tonight at some public housing meetings around the West side. But, you know what, we cannot simply say, it's the tenants' fault when 75% of the elevators are unsatisfactory, and I think there's this tendency sometime to say well, you know, if people wouldn't vandalize, if the public doesn't do this, the public does that, I don't think that's the root of this. I think as the Council Member mentioned early, we have not taken elevator inspections seriously at NYCHA, the way that the Buildings Department does it, we have part-timers doing a job that full-time employees should be doing. I mean, how could we justify that managers, people who are responsible for the safety of hundreds of thousands of people are moonlighting on other jobs? That has not been explored the way it should and I think that's something that we have to focus on. So if we're not providing the resources, we're not taking elevator inspection

1  
2 and repair seriously, then I don't think we can  
3 suddenly say well, if they would stop playing  
4 around in the elevator, this wouldn't be  
5 happening, considering, you know, there's an  
6 elevator breakout something like every 12--I mean,  
7 just hearing it today based on your hearing what  
8 the Housing Authority is saying. Is it only the  
9 Housing Authority's fault? No. Am I here to cast  
10 blame? No. What I'm talking about is if we can  
11 craft legislation or policy initiatives in the  
12 same way we were able to create a safety protocol  
13 for crane safety and construction safety, where we  
14 don't wait for the next the big accident and we do  
15 it the same way the Mayor and the City Council  
16 worked with the agencies, that I'm telling you,  
17 this is the next frontier we have to conquer.

18 COUNCIL MEMBER BREWER: I agree, I  
19 think when a new elevator's, a repair goes in, it  
20 should be a combined effort on all fronts to try  
21 to improve the whole situation. So thank you.

22 SCOTT STRINGER: I agree.

23 [Pause]

24 CHAIRPERSON MENDEZ: Mr. Borough  
25 President, you make several suggestion here in

1  
2 your testimony, have you met with the Housing  
3 Authority and run these suggestions past them and  
4 what have they said?

5 SCOTT STRINGER: We are--I'm happy  
6 to say that we--when we issued a report, we  
7 immediately brought it to the attention of the  
8 Housing Authority, we've been in discussion at a  
9 staff level meeting with the Chair in the next  
10 couple of days. I think they have been very open  
11 to suggestions, I think they realize that they've  
12 had to struggle with this in a way that we  
13 probably can't imagine given the budget deficit  
14 \$195 million, and I do think that this is a great  
15 opportunity for us to work collaboratively. You  
16 know it's too serious to simply say, you know, we  
17 got you, you know, the purpose of this report was  
18 not to simply say, look what we found, look what  
19 we found. The issue now is, can we bring the  
20 Housing Authority together with FDNY, with elected  
21 officials, the Council and others, to come up with  
22 a safety protocol and I look forward to working  
23 with them, but they've been very responsive to us  
24 about our report and we're going to work closely,  
25 but it's necessary that--we also want to work

1  
2 closely with you and I think we have to bring in  
3 our colleagues on the state and federal level as  
4 well.

5 CHAIRPERSON MENDEZ: Mr. Borough  
6 President, I know you have a lot of staff on hand,  
7 so I'm going to ask maybe if you could go back and  
8 take a look at some of the elevator violations  
9 prior to the MOU and maybe we can compare that  
10 with the ones that are in your report now. And,  
11 you know, and I don't know--I know you have a lot-  
12 -more staff than many of us have, but they're also  
13 busy doing other things [crosstalk]--

14 SCOTT STRINGER: [Interposing] The  
15 Housing Authority had a lot more staff than I do,  
16 they all--

17 CHAIRPERSON MENDEZ: Do we want to  
18 ask the Housing Authority to provide us with that  
19 information?

20 SCOTT STRINGER: Well, I--maybe what  
21 we'll do is, which I'd be certainly happy to work  
22 with your office is sit down with you and other  
23 Council Members is maybe we can as a collective  
24 figure out what information we need--I'd be happy  
25 to help with that comparative analysis and then I

1  
2 really think that we can create a sit down with  
3 the authority, that, you know, I don't--again, I  
4 want to stress, I'm not here today to say, it's us  
5 versus them, but maybe we can all bring in and  
6 I'll certainly be happy to put resources into it.  
7 I will tell you that the analysis that we did took  
8 a lot of people hours and over, you know, people  
9 working 18 hours a day on it. It's very tough,  
10 but when you do an analysis of every single  
11 elevator, you get a unique perspective of it  
12 citywide and we didn't stop at Manhattan, we  
13 wanted to keep going because when you see this,  
14 you know, citywide, you really get a unique  
15 perspective, but I'd be happy to work with you on  
16 that as well.

17 CHAIRPERSON MENDEZ: I am very  
18 thankful that you're here today and thank you for  
19 your testimony and I look forward to continuing  
20 our good work together.

21 SCOTT STRINGER: Thank you, thank  
22 you, Council Members.

23 CHAIRPERSON MENDEZ: The next panel  
24 will be Gregory Floyd from Teamsters Local 237.

25 [Pause]

[Off mic]

GREGORY FLOYD: Good afternoon.

With me I have--

CHAIRPERSON MENDEZ: [Interposing]

Can you please identify yourself for the record, please?

GREGORY FLOYD: Yes, Gregory Floyd  
President of Local 237.

[Pause]

DON ARNOLD: Don [off mic] Don  
Arnold [phonetic], Director of Prevailing Wage for  
237.

RUBEN TORRES: Ruben Torres  
Secretary-Treasurer, Teamsters Local 237.

GREGORY FLOYD: Now Rubén is a  
Superintendent with the New York City Housing  
Authority, as well as our Secretary-treasurer.  
Donald Arnold is our Citywide Director and he's  
also a elevator mechanic for the city of New York.  
Good afternoon, my name is Gregory Floyd, I'm the  
President of Local 237. Our union is the  
bargaining agent for 375 elevator mechanics and  
elevator helpers, elevator supervisors employed by  
New York City Housing Authority. I want to thank

Chairwoman Mendez for having this hearing on the Subcommittee for Housing. Today's hearing responds to legitimate public concerns over maintenance and safety of elevators in NYCHA developments. All of our New Yorkers were saddened to read the death of Independent Towers and Bushwick Houses that resulted in at least, in part, from elevator mishaps. And we were also saddened about the death of Jacob, the young 5-year-old in Brooklyn. [Pause] Most of my testimony was already mentioned, but we just want to mention the couple of heartfelt things. Our elevator mechanics are dedicated elevator repair people and the death of that young man--that young boy really touched their hearts. [Pause] And they were stricken with grief as if the child were their own. [Pause] Although they weren't responsible, they did feel personally responsible, even though it wasn't their fault. They're dedicated and they report that most of the time the parts aren't available because they're just parts, they're not in stock, they have to send away for parts, they don't have a storeroom anymore filled with parts ready to fix the

1  
2 elevators. [Pause] There was a story and it came  
3 up twice and we felt compelled to mention [pause]  
4 the moonlighting situation does not have a bearing  
5 on this. They're given an assignment, they're  
6 given hours to work. If the New York City Housing  
7 Authority wanted them to work more hours, they  
8 would gladly do so, but to supplement their income  
9 they're working second jobs. [Pause] And they're  
10 fit for duty when they come into work for the New  
11 York City Housing Authority. Because of what has  
12 happened in the last few months, they've been  
13 subjected to the district attorney's  
14 investigations, DOI investigation, as well as the  
15 Housing Authority investigations and they're under  
16 public scrutiny. [Pause] They do their job with  
17 great pride, they come to work alert, and the  
18 Housing Authority has given them permission to  
19 work these jobs and they report at these jobs--the  
20 second jobs and they've all been approved. So we  
21 don't see a conflict in this area, however, we've  
22 been assured by the Housing Authority that they  
23 will be hiring more mechanics, more helpers and,  
24 we heard today, that they're going to be replacing  
25 some of these elevators and prioritizing these

1  
2 elevators. And we wanted to say that we will be  
3 working with all of you and anyone else, the  
4 public, [pause] the federal legislators, to try to  
5 see that more funding is given to public housing.  
6 We had a rally on May 1st, we spent a substantial  
7 amount of money from the union treasury to bring  
8 attention to the lack of funding for public  
9 housing. [Pause] At that time, we did not  
10 realize the chaos these elevators would cause, but  
11 we knew the dangerous situations that result in  
12 under-funded properties. [Pause] We feel that  
13 the elevators are just the beginning, there could  
14 be roofing problems, there could be other problems  
15 that could lead to mishaps and serious injuries  
16 and deaths, so today we're talking about  
17 elevators, tomorrow we could be talking about  
18 something else. But, ultimately, what we're all  
19 talking about, the bottom line, the common  
20 denominator is the lack of funding for public  
21 housing going into the future. Thank you.

22 [Pause]

23 CHAIRPERSON MENDEZ: Thank you. Do  
24 my colleagues have questions?

25 [Off mic]

COUNCIL MEMBER BREWER: Sorry.

Thank you for your leadership. I did ask about parts earlier, because every time I call the Housing Authority about an elevator, maybe 'cause we have older developments, I'm always told it's a parts problems. So I asked the Housing Authority about it and I think you heard the answer.

GREGORY FLOYD: I did.

COUNCIL MEMBER BREWER: So I'm just wondering, I think you probably have a more substantial answer, so I was just wondering if you could elaborate on that, on the parts problem and then if there's some other revenue and resources are the biggest challenge, but are there other ways that we could work together to try to improve the way in which your wonderful workers are able to do their job? So those--I mean, parts is just one of them, but what--how could we perhaps work on this parts problem?

GREGORY FLOYD: Well the problem is some of the elevators [pause] are just outdated. That the average store does not carry the parts that they have and that's the reason for delay, they have to search for these parts or sometimes

1  
2 have parts made.

3 COUNCIL MEMBER BREWER: That's what  
4 NYCHA said, they have to have the parts made.

5 GREGORY FLOYD: Yeah, and,  
6 unfortunately, I say in our building we have an  
7 elevator and we ran into that problem, found out  
8 that the part was no longer available and we had  
9 to wait three weeks for the part to be made and  
10 then they shipped the part. So we understand that  
11 when parts are not available, unless you change  
12 the elevator and you modernize it, this is going  
13 to happen time and time again. And I heard today  
14 that the Housing Authority has a plan to modernize  
15 some elevators, that's a step in the right  
16 direction. As far as having parts on hand,  
17 suppose you order too many of the wrong parts and  
18 that part doesn't breakdown, then you never use  
19 this part, then you waste money.

20 COUNCIL MEMBER BREWER: Okay. Got  
21 it.

22 GREGORY FLOYD: So that's the danger  
23 of just, you can't just have a stock room full of  
24 parts, because these parts are expensive and you  
25 don't want to waste money just have parts laying

1  
2 around and you--if you change the elevator, that  
3 part is no longer of use to you--

4 COUNCIL MEMBER BREWER: Got it.

5 GREGORY FLOYD: --and then you over  
6 order.

7 COUNCIL MEMBER BREWER: Okay. And  
8 are there any other, I call it low hanging fruit  
9 ideas, that could assist us in both repair and  
10 maintenance? In other words--

11 GREGORY FLOYD: I don't think we can  
12 come up with anything else, if we do, we'll be  
13 glad to come back, but I've heard the testimony, I  
14 sat here and I listened, you had a thorough  
15 hearing, you had a thorough testimony from the  
16 city--I mean, the Housing Authority. I learned a  
17 lot to sitting here listening to their plans,  
18 because sometimes you just have to read about  
19 their plans, but I've heard that they plan on  
20 modernizing some of these elevators and my hope is  
21 that they would modernize all of the elevators  
22 eventually and just have funding, but that's  
23 something that we have to work toward.

24 COUNCIL MEMBER BREWER: Thank you.

25 [Pause]

CHAIRPERSON MENDEZ: Robert?

FEMALE VOICE: Yes.

CHAIRPERSON MENDEZ: You have a question?

FEMALE VOICE: Yeah.

CHAIRPERSON MENDEZ: Go ahead.

COUNCIL MEMBER JACKSON: Thank you, Madame Chair, good afternoon.

GREGORY FLOYD: Good afternoon.

COUNCIL MEMBER JACKSON: With respects to you're representing all of the elevator mechanics, I think you testified approximately 400, do you, as a union, have labor-management meetings with NYCHA concerning issues and concerns of your members and, if so, I would assume that there's a discussion about this huge elevator problem and I was just wondering whether or not your members maybe had made suggestions to you as a union leader for you to discuss with NYCHA across the labor-management table to improve efficiency, to improve the quality of work, through various things. So, for example, Gale talked about parts, well if there are, let's say, there's over 3,000 elevators, if 400 of them are

1  
2 elevator A that was put into effect 15 years ago  
3 and if NYCHA is monitoring the maintenance and  
4 repair, let's say, elevator A company's out of  
5 business any more, and it takes three weeks to  
6 make a part. Well--and I can understand parts are  
7 expensive, but I'm curious if in fact your  
8 maintenance history says that this part goes out  
9 in this elevator A and it's going out X amount of  
10 times, it would be appropriate to have 5 to 10  
11 available versus 50 or 100, you know what I mean?  
12 Do you have those type of discussions with NYCHA  
13 across the labor-management table concerning all  
14 of the mechanics that you represent?

15 GREGORY FLOYD: We wouldn't discuss  
16 [pause] ordering parts with the Housing Authority,  
17 because it's not exact science. You just--it's  
18 just something that unless you're in the elevator  
19 field and you have to see there are different  
20 types elevators and all the elevators aren't the  
21 same and all the parts don't break the same way  
22 and it's just difficult. But what we do have  
23 discussions with the Housing Authority is with the  
24 staffing.

25 COUNCIL MEMBER JACKSON: Staffing.

GREGORY FLOYD: The staff shortage. We've been talking about elevators for the last, at least two years because there is an elevator-- not an elevator incident, but the elevators had broke down in Bushwick Houses and the woman walked up the stairs and then she died of a heart attack or she had a asthma attack and we started talking with NYCHA at that point because the elevator mechanics came forward and they told us about the shortage and what they used to have and there's a shortage all over the Housing Authority because they've laid off at least, or eliminated, at least 2,000 positions.

COUNCIL MEMBER JACKSON: Two thousand positions for mechanics or--

GREGORY FLOYD: [Interposing] Not, not, not for mechanics, 2,000 positions overall.

COUNCIL MEMBER JACKSON: In NYCHA.

GREGORY FLOYD: In NYCHA and there was a reduction in elevator mechanics, they're just trying to get them some staffing, but they're not up to the level that they used to be.

COUNCIL MEMBER JACKSON: As far as mechanics are concerned.

GREGORY FLOYD: As far as mechanics and the elevator helpers.

COUNCIL MEMBER JACKSON: And is it-- is that a title that's hard to recruit or is it the fact that it's not hard to recruit, but they reduced the number of mechanics and they just don't have enough and are they hiring them back at DOA?

GREGORY FLOYD: Well it could be twofold, it could be both. It could be a hard to recruit title and we will see once the posting goes out for the NYCHA and and elevator mechanics 'cause that's a skilled trade position and I'll let Donald tell you what the qualifications are.

COUNCIL MEMBER JACKSON:  
[Interposing] They have to be licensed, is that correct?

GREGORY FLOYD: You have to be licensed, you have to go to school--

COUNCIL MEMBER JACKSON: Right, right.

GREGORY FLOYD: --you just can't walk in--

COUNCIL MEMBER JACKSON: Oh, I know.

GREGORY FLOYD: --we will find out if it's a hard to recruit title because you also competing with the private elevators, even though--private elevator companies, even though it's a prevailing wage, over here you make benefits and salary, over there, you make salary--

COUNCIL MEMBER JACKSON: And what is the--

GREGORY FLOYD: --it's still the same.

COUNCIL MEMBER JACKSON: --what is the average? I know that the beginning range and the maximum range, what is the average salary of a NYCHA elevator mechanic?

DONALD ARNOLD: We just negotiated a contract. The average wage for an elevator mechanics is \$36 an hour.

COUNCIL MEMBER JACKSON: But--and I'm not talking about hour, I'm talking about a year.

DONALD ARNOLD: A year, approximately 65,000.

COUNCIL MEMBER JACKSON: Okay. Approximately 65,000--

DONALD ARNOLD: But that--

COUNCIL MEMBER JACKSON: --for a  
licensed elevator mechanic.

DONALD ARNOLD: Yes.

COUNCIL MEMBER JACKSON: And the  
requirement--I'm sorry, I may be going--I assume  
they have to have some experience, they have to  
licensed, number one.

DONALD ARNOLD: Yes.

COUNCIL MEMBER JACKSON: And do they  
have to have experience in the--

DONALD ARNOLD: Private sector.

COUNCIL MEMBER JACKSON: --a job  
announcement?

DONALD ARNOLD: Yes.

COUNCIL MEMBER JACKSON: So the--

DONALD ARNOLD: Five years prior  
experience in private sector to be an elevator  
mechanic, three years private sector service to be  
an experienced elevator helper.

COUNCIL MEMBER JACKSON: So you have  
to have experience coming into the job.

DONALD ARNOLD: Yes, because--

COUNCIL MEMBER JACKSON: Okay.

DONALD ARNOLD: --it's a civil service position.

COUNCIL MEMBER JACKSON: Okay. Thank you.

[Pause]

CHAIRPERSON MENDEZ: Thank you, Council Member Jackson. Mr. Floyd, I saw you here, so I know you were here during NYCHA's testimony, so I just want to go over a couple of things and actually Robert touched on some of it, but the Housing Authority testified that they have 400 employees that are mechanics, mechanic helpers, and some of them, they're inspectors.

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: Your testimony say only 185 mechanics actually performed the hands-on direct work. Are those 185 members of your union?

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: And so those are the mechanic, not the mechanic helpers or are they both?

GREGORY FLOYD: They're mechanics.

CHAIRPERSON MENDEZ: Mechanics. So

the mechanic helpers are not part of your union,  
they're not--

GREGORY FLOYD: [Interposing]  
Mechanic helpers are part of our union--

CHAIRPERSON MENDEZ: Okay.

GREGORY FLOYD: --also and so are  
the inspectors.

CHAIRPERSON MENDEZ: The Housing  
Authority gave us a list of titles so I want to  
ask you, of these which one may be part of your  
union: Caretaker E?

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: Supervisor  
elevator mechanic?

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: Supervisor  
elevator maintenance?

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: Okay. And so  
[pause] only 185, so if I think of their numbers  
and if we take--and they said more or less, so if  
we take out the 12 teams more or less that do  
inspections, that leaves approximately 185 teams.  
So of those approximate 185 teams, you're telling

me--

GREGORY FLOYD: [Interposing] You mean 185 mechanics.

CHAIRPERSON MENDEZ: No, they said there were about 400 employees, that's approximately 200 teams.

GREGORY FLOYD: Okay. Yeah.

CHAIRPERSON MENDEZ: Approximately 12--

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: --were doing inspections.

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: So if you take away 12, that's actually 187, but it's an approximation, so maybe a little bit less, a little bit more. So of those 187, if we're going to be firm on their 400 number, 187 teams, than 185 are actually performing the hands-on work. So half of the team members or half of these mechanic and mechanic helpers are actually doing the direct hands-on service and repair of the equipment?

GREGORY FLOYD: Yes.

[Pause]

CHAIRPERSON MENDEZ: And do you happen to know what the other half are doing?

GREGORY FLOYD: No, see, when they said teams, teams of two.

CHAIRPERSON MENDEZ: Teams of two.

GREGORY FLOYD: So you have one elevator mechanic and you have one helper, you put them together that's a team. So every team is two people.

[Pause]

CHAIRPERSON MENDEZ: Okay. But based on these numbers, then half the teams are doing all the direct hands-on work and the other half are doing something else, they're not doing the direct hands-on work.

GREGORY FLOYD: No, the teams are two, if you double it, you'll come up--

CHAIRPERSON MENDEZ: [Interposing] So when you say only 185 mechanics, you're talking about teams hear in your testimony?

GREGORY FLOYD: No, no, mechanics, not teams. Each mechanic has a helper--

[Off mic]

[Pause]

1

2

GREGORY FLOYD: Yeah.

3

CHAIRPERSON MENDEZ: Okay.

4

GREGORY FLOYD: You would double the

5

185.

6

CHAIRPERSON MENDEZ: Yes. Okay.

7

But I--

8

GREGORY FLOYD: They spoke in teams.

9

CHAIRPERSON MENDEZ: Right.

10

GREGORY FLOYD: I spoke in

11

mechanics.

12

CHAIRPERSON MENDEZ: Right.

13

GREGORY FLOYD: And I didn't include

14

the helpers.

15

CHAIRPERSON MENDEZ: Okay. So their

16

teams, if you minus 12, it's 187, you multiply

17

that by two, that is the number of workers.

18

You're telling me 185 mechanics are doing the

19

hands-on work, that's about half of the number of

20

workers that are out there once you take away the

21

inspectors.

22

[Pause]

23

GREGORY FLOYD: No, I think we're

24

just confusing each other. A hundred and eighty-

25

five mechanics, plus 185 helpers.

CHAIRPERSON MENDEZ: Thank you,  
okay. Thank you.

GREGORY FLOYD: So each team--see I  
didn't know the Housing Authority was going to  
come here and talk about teams.

CHAIRPERSON MENDEZ: So then your  
numbers are--

GREGORY FLOYD: [Interposing]  
Basically the same.

CHAIRPERSON MENDEZ: --mirror their  
numbers--

GREGORY FLOYD: Yes, yes.

CHAIRPERSON MENDEZ: --then, okay.  
So that's good to know--

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: I was  
concerned.

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: Okay. That's  
very good to know. [Pause] And you mentioned in  
your testimony and put it out there, this is a  
correct number \$611 million in the past eight  
years the Housing Authority has been shortchanged  
from the Bush Administration. So that is why

1  
2 we're seeing lots of cuts and layoffs and not  
3 filling of empty positions. You mention that  
4 they've--they used to have about 2,000 workers,  
5 now we have 400. In the past several--

6 GREGORY FLOYD: [Interposing] No,  
7 no, no, not in elevators, I'm saying they--2,000  
8 overall in Housing Authority.

9 CHAIRPERSON MENDEZ: In the housing  
10 [crosstalk]--

11 GREGORY FLOYD: Two thousand.

12 CHAIRPERSON MENDEZ: Two thousand.

13 GREGORY FLOYD: And some of that  
14 resulted in layoffs--not layoffs but through  
15 attrition--

16 CHAIRPERSON MENDEZ: Right.

17 GREGORY FLOYD: --elevator mechanics  
18 were not replaced.

19 CHAIRPERSON MENDEZ: So the numbers  
20 during the past few years and the Housing  
21 Authority in the last year or so did not fill  
22 certain vacant positions--

23 GREGORY FLOYD: Right.

24 CHAIRPERSON MENDEZ: --and merge  
25 many management positions, so they ended up having

some layoffs of sorts and--

GREGORY FLOYD: Yes.

CHAIRPERSON MENDEZ: --trying to, you know, be more efficient by condensing their workforce in order to bring their expenses down. In terms of elevator workers who are part of your union, have you seen stagnant and declining number of workers over the past few years and can you tell me what that looks like?

[Pause]

GREGORY FLOYD: We are talking, what we--about 30 positions, at least 30 or 40 positions in the elevator mechanics.

CHAIRPERSON MENDEZ: In the past year or two?

GREGORY FLOYD: No, since 2002.

CHAIRPERSON MENDEZ: Since 2002.

GREGORY FLOYD: That's when the problems first started happening.

FEMALE VOICE: The number of [off mic]

CHAIRPERSON MENDEZ: And the number of helpers?

GREGORY FLOYD: About the same.

[Pause]

CHAIRPERSON MENDEZ: Thank you very much for your testimony.

COUNCIL MEMBER JACKSON: Quick little follow up, if you don't mind.

CHAIRPERSON MENDEZ: Sure.

COUNCIL MEMBER JACKSON: Now we heard them talk about 200 teams and each team is the mechanic and the helper.

GREGORY FLOYD: Yes.

COUNCIL MEMBER JACKSON: And each one meets the requirements of the job, licensed mechanic, both mechanic and helper with private experience, da, da, da, da. Now you said that you have 185 mechanics, they said 200 [crosstalk]--

GREGORY FLOYD: Well I said 185, they said 200, it could be 200 because--

COUNCIL MEMBER JACKSON: Okay. Because--

GREGORY FLOYD: --I don't know where they assign--I'm looking at my roster [crosstalk]-  
-

COUNCIL MEMBER JACKSON:  
[Interposing] Right, that's what I'm talking

about.

GREGORY FLOYD: Yeah, yeah.

COUNCIL MEMBER JACKSON: Because the bottom line is if you're looking at your roster, those are licensed mechanics--

GREGORY FLOYD: Yes.

COUNCIL MEMBER JACKSON: --and all of them are union members or either union members that they joined the member or agency fee shot payers--

GREGORY FLOYD: Yes.

COUNCIL MEMBER JACKSON: --one or the other, so in essence, you have a full roster every quarter or whenever you get it--

GREGORY FLOYD: Yes.

COUNCIL MEMBER JACKSON: --or every month as to members and fee payers. If, in fact, your roster is 185 and they're saying 200 teams, you can't have 200 teams if you only have 185 mechanics, you can only have 185 teams.

GREGORY FLOYD: I would agree--

COUNCIL MEMBER JACKSON: You would agree with that?

GREGORY FLOYD: --I would agree.

COUNCIL MEMBER JACKSON: Okay. And if 12 teams are dealing strictly with inspections, that means 173 are only out there dealing with mechanical problem areas. And I'm just saying, to me, 15 teams makes a big difference.

GREGORY FLOYD: But see if I'm looking at my numbers--

COUNCIL MEMBER JACKSON: Right.

GREGORY FLOYD: --and they come in monthly and the Housing Authority may have a different roster because if somebody [off mic] no compensation they come back and they have the teams, it could make a difference in my numbers, so I wouldn't say that the Housing Authority is wrong. I would just--they have more accurate numbers than I have at the time.

COUNCIL MEMBER JACKSON: Right, right, because they're the employer.

GREGORY FLOYD: Yes, yes.

COUNCIL MEMBER JACKSON: Okay. I'm just--I just I guess I will want to know the exact numbers, and I don't disbelieve anybody, you know what I mean? But clearly when you talk about 15 mechanics different, you're talking about 15

teams--

GREGORY FLOYD: Fifteen teams and that makes a tremendous amount of [crosstalk]--

COUNCIL MEMBER JACKSON:  
[Interposing] Yeah, that's what I'm saying.

GREGORY FLOYD: I would tend to believe the Housing Authority because they have the assignments.

COUNCIL MEMBER JACKSON: Accurate, up-to-date, computerized--

GREGORY FLOYD: Yeah, they know where everyone--

COUNCIL MEMBER JACKSON: Okay.

GREGORY FLOYD: --is assigned, I don't--

COUNCIL MEMBER JACKSON: I'm just saying--

GREGORY FLOYD: --I just have--

COUNCIL MEMBER JACKSON: --15 teams make a big--

GREGORY FLOYD: --I just have names.

COUNCIL MEMBER JACKSON: --  
difference.

GREGORY FLOYD: I just have names, I

don't have assignments.

COUNCIL MEMBER JACKSON: Right.

Okay. Thank you.

GREGORY FLOYD: Yeah.

COUNCIL MEMBER JACKSON: Okay.

Okay. Thank you very much.

GREGORY FLOYD: Thank you.

COUNCIL MEMBER JACKSON: We appreciate your coming in. Thank you. And next we're going to hear from Mitchell Felder, Chapter 25 of Local 375 Technical Guild, Alonzo Jordan, former tenant of the Polo grounds if you're here, Alonzo, and Caroline Stem, NYAM, it looks like. Come on in--come up, please.

[Pause]

COUNCIL MEMBER JACKSON: Are you waiting to testify also [off mic] come up. Come on up, there's only two more people here, so Lisa come on up and Joe come on up, there's only four of you, so please come up if you don't mind. Is there no one else, right?

FEMALE VOICE: No.

COUNCIL MEMBER JACKSON: Okay. Sir, you're first. Please identify yourself and you

may begin your testimony.

[Off mic]

COUNCIL MEMBER JACKSON: Yeah, press the button please.

MITCHELL FEDER: My name is Mitchell Feder, but before I state my testimony, I need to state that I am an employee of the Housing Authority and--

COUNCIL MEMBER JACKSON:  
[Interposing] New York City Housing Authority?

MITCHELL FEDER: Yes, recently have been brought up on misconduct and incompetence charges and I'm fighting and currently there is someone in this chamber, who was sent to actually watch and observe me from the Housing Authority.

COUNCIL MEMBER JACKSON: Watch what?

MITCHELL FEDER: To watch and observe me--

COUNCIL MEMBER JACKSON: Okay.

MITCHELL FEDER: --from the Housing Authority, just to go on record.

COUNCIL MEMBER JACKSON: Okay.

MITCHELL FEDER: Thank you.

COUNCIL MEMBER JACKSON: But you

1  
2 have a right as a citizen or as member of the  
3 public to testify at public hearings and  
4 obviously, depending on the position that you're  
5 in and what restrictions you have as per your  
6 union contract, obviously, you know, you just need  
7 to stay within those parameters so that you don't  
8 get yourself in quote unquote more trouble.

9 MITCHELL FEDER: Yes, I understand.

10 COUNCIL MEMBER JACKSON: Okay. Go  
11 ahead, I'm sorry.

12 MITCHELL FEDER: Thank you. Chair  
13 Mendez and committee members, I would first like  
14 to thank you for convening this hearing on this  
15 very important matter. My name is Mitchell Feder,  
16 and I am the Local 375 Civil Service Technical  
17 Guild's Chapter 25 President. I represent  
18 approximately 300 technically trained and educated  
19 professionals, licensed architects, engineers,  
20 construction project managers, estimators, and  
21 city planners at the New York City Housing  
22 Authority, most of whom are located in the capital  
23 projects division. I would first like to say to  
24 that the majority of the Authority's more than  
25 2,600 residential structures are either mid-rise

or high-rise buildings consisting of eight or more floors. The lifeline of these structures consist of the heating plant, in most case boilers, as well as the elevators. If either of these two mechanical systems break down, then the building breaks down and eventually dies. One cannot have a sustainable mid-rise or high-rise structure with either of these two most important systems not properly working. With the recent avoidable deaths of two NYCHA residents, an outcry has been heard throughout the public housing, but what hasn't been heard is the underlying story of how this came to be. We all are aware that in 1997 the then NYCHA Chairman Ruben Franco accepted 21 state and city developments into the Authority's portfolio without mandating that both these government entities contribute to both the annual operating and capital funding budgets, thus draining over \$60 million per year from the fixed, but shrinking, federal funding budgets. Neither of his successors lobbied the state and city until the Authority's reserves were drastically depleted and in 2004 the first layoffs occurred, later to be repeated in 2007 and 2008. Only during after

these layoffs did this administration publicly call for additional state and city funding to help offset the 21 draining developments that were originally state and city owned and funded.

Though the state has approved additional housing subsidy funding, neither the state nor the city has approved any direct infusion of operating and or capital funding for their previous owned developments on an annual basis. During 2004, this administration, under the leadership of Chairman Hernandez and General Manager Douglas Apple, restructured the capital projects division against the recommendations of the professional staff. As soon as the restructuring occurred, the staff and managers realize the disastrous effects. One of the results was a drastic reduction in construction contract awards. It was only upon the removal and replacement of the division's Deputy General Manager that in 2008 the division once again went through a realignment which mimicked the recommendations that the staff had suggested four years earlier. The recommendations of the rank-and-file staff have been proven right and those implemented by the administration was

1 proven wrong--dead wrong. But what was not  
2 corrected and has not been spoken about is  
3 possibly one of the reasons why two residents are  
4 no longer with us, now we hear a third one.

5 During the 2004 reorganization in a cost-cutting  
6 measure under the recommendation of the consultant  
7 survey and report, the NYCHA administration  
8 disbanded the design departments Elevator Design  
9 and Review section. This section was responsible  
10 for drafting elevators specifications, elevator  
11 design, and design review of consultant contract  
12 documents, which consists of the construction  
13 plans and specifications for the building--for the  
14 bidding and awarding of all elevator construction  
15 contracts. The unit section chief, Victor Bahna,  
16 Professional Engineer, had more than 30 years  
17 experience in the elevator field. He was, and  
18 still is, the consummate professional, however,  
19 due to how the division is being managed, he has  
20 since taken a position in the private sector. To  
21 give you an understanding of how the disastrous  
22 2004 reorganization affected the authority and its  
23 residents, prior to 2004 during an 8 to 10 year  
24 somewhere between 800 and 1,000 elevators of the  
25

Authority's more than 3,300 were totally renovated and rehabilitated, which included cab replacement and full motor and mechanical system replacement. During the 2004 to 2008 period, at best, about 25 to at most 50 elevators have been replaced and this would be on the high side. Also, instead of having our then-experienced elevator design professionals review the consultant plans and specifications, the policy since 2004, as it is now, is to have regular architects and engineers review them. This is akin to having a motorcycle mechanic work on an Indianapolis racing car or a general practicing doctor perform open-heart surgery. It should not be the policy or practice. Elevator design and review is a highly specialized and technical field that general architectural and engineering practitioners usually do not have the expertise in. Knowing the various manufacturers, components, computer systems, and the good from the bad takes years of practice and training and hands-on experience. With the disbandment of the elevator design and review unit, there is no central point person that I am aware of, that is responsible for coordinating and finalizing

elevator specifications for the Authority. So I ask, who is updating the Authority's elevators specifications and who is reviewing these recommendations? Is it inexperienced in-house staff or is it private consultants? And, if consultants, who then is reviewing their recommendations since our experienced elevator professionals are no longer performing this function? In other words, who is watching the store? With the 2004 reorganization, the administration had placed a responsibility for elevator replacement with the now hired construction management firms, also known as CM firms, under the Authority's CM Build program. These CMs are now costing the Authority at least twice as much as the in-house professionals cost to perform the same or similar work. The construction management firms are profit motivated, whereas the in-house staff are service motivated. The CM firms are costing and wasting the Authority at least \$15 to \$20 million per year. This is net cost, being that if we were to take \$10 million of the CM consulting payments per year, which are averaging about \$30 million

1  
2 annually to hire approximately 100 construction  
3 and design professionals, it would relieve upwards  
4 of about \$20 million to be reinvested back into  
5 the Authority's residential infrastructure. This  
6 savings can restore hundreds of elevators over the  
7 coming years. Why the administration chooses to  
8 waste scarce funding and taxpayer money is beyond  
9 me and my other 300 professionals' imagination.  
10 But don't tell this to Authority's administration,  
11 they are always right--maybe. I must also  
12 question the new reports that the Authority will  
13 now invest \$100 million in elevator repair. Where  
14 is this money coming from? Why now? Is it  
15 directly because of the deaths of two residents?  
16 What can be done to correct the elevator problem  
17 and the problems in general? First, I would  
18 recommend that they reinstitute the elevator  
19 design and review unit. Secondly, I would have  
20 the state and city contribute their portion or  
21 what would have been their portion of operating  
22 and capital funding for the 21 former city and  
23 state owned developments which are draining over  
24 \$60 million from the Housing Authority's annual  
25 budget. Have the city abrogate the Authority'

pilot payments, which amount to \$160 million annually. Lobby HUD and Congress to restore the cut--HUD capital budget from where it is now at 310 million to about--back to pre-cut levels of \$400 million. I would get rid of the Construction Management Build program and go back to the way the Authority use to do business, which was directly contract out to the four [phonetic] contract, Wicks law contractors, it has been proven more cost effective than the CM Build program. Hire more in-house professionals to replace the more costly consultants and save no less than 25% to 50% of their costs, which can be reinvested back into the Authority's infrastructure. Audit the costly Primavera and Oracle computer software purchase to determine if the Authority got their money's worth and if these systems are living up to expectations and public statements by the Authority. And lastly, audit CM Build program to make a determination as to its worthiness, effectiveness, and cost benefit. The Authority's administrators must make tough decisions, especially when dealing with what will and what will not be funded. The elevators are

one of the two most important mechanical systems in our buildings which are a lifeline for the residents. Failure to properly maintain them is inexcusable. In conclusion, because of the disastrous implemented 2004 reorganization of the capital projects division, which resulted in the disbandment of the elevator design and review section and the wasted reallocation of authority resources under the CM Build program as witnessed by the more than 300 Tech Guild Chapter 25 professionals, the general membership at its June 2008 meeting took a vote of no-confidence in Chairman Tino Hernandez and General Manager Douglas Apple. They had steadfast refused to either heed or listen to our recommendations, but instead put into place irrational and unprofessional policies and procedures which may have or, in my opinion, most likely had a direct or at minimum an indirect impact on the lives of not two, but three of our residents that we know of. The third was Ms. Constantine Lloyd, a 57-year-old resident who died in 2004 due to a broken steam line that ran under her apartment where the temperature rose to no less than 180°. The steam

line was slated for repair, but after the first contractor was defaulted, the capital projects division waited to rebid the job under the yet to be implemented CM Build program. All I can say now is at least the Authority appears to be waking up and realizing that the infrastructure is priority one and funding is being made available for the vast network of elevators. Better late than never. Lastly, on behalf of my Chapter's members and myself, our sincerest condolences to the Neuman, the Gonzalez and Milan and the Lloyd families who lost their loved ones.. Thank you.

[Pause]

CHAIRPERSON MENDEZ: We'll ask questions at the end. Will the next person start your testimony?

CAROLYN STEM: Okay. [Pause] Good afternoon, my name is Carolyn Stem. I am with the New York Academy of Medicine, NYAM. Pardon?

[Off mic]

CAROLYN STEM: Okay. All right. NYAM has been advancing the health of people living in cities since 1847. An independent organization, NYAM addresses the health challenges

facing the world's urban populations through inter-disciplinary approaches to policy leadership, education, community engagement, and innovative research. Drawing on the expertise of diverse partners worldwide and more than 2,000 elected Fellows from across the professions, our current priorities are to create environments in cities that support healthy aging, to strengthen systems that prevent disease and promote the public's health, and to implement interventions that eliminate health disparities. Thank you for allowing us the opportunity to submit this testimony. Mamie Williams and her mother, Irene Wells Kibbler, live together in the East River housing development, which is located at 102nd Street and 1st Avenue in Manhattan. Ms. Williams, age 81, is the primary caretaker for her mother, who has limited mobility and celebrated her 100th birthday this past month. However, Ms. Kibbler's birthday weekend was nearly ruined by the condition of the elevator in her building. On the day of her party, the elevator stopped working. If they were to attend Ms. Kibbler's birthday party, mother and daughter were forced to walk

down the stairs with the help of a neighbor from their fourth floor apartment. Several hours after the celebration, they returned home and found the elevator still not operating. Not wanting to struggle up the stairs, they sat outside their building for nearly two hours until the elevator was working. For them, these are common, expected, and predictable occurrences. Sadly, such experiences are common for many older people living in high-rise buildings in New York City, but it is particularly acute for NYCHA because of its large percentage of older tenants. As of June 2008, nearly 35% of all NYCHA households were headed by persons over 62 years of age. While many of these older adults are active and healthy, some are not. Older persons with physical, sensory, or cognitive impairments may be excluded from economic and social participation because of environmental, architectural, or other physical barriers, such as lack of a working elevator. Such barriers can limit the ability of some older adults to leave the house each day, which can rob them of the long-term functional and health benefits associated with going outdoors daily.

For people with disability or impaired mobility, independence can often be maintained if the environment is accessible and for many that requires dependable alternatives to stairs. An age-friendly city should respect and accommodate all capacities. Planning is needed to ensure that as New York City's older population increases over the coming years, NYCHA developments are accommodating to and supportive of diversity of needs. We heard this loud and clear recently while carrying out a year-long dialogue with over 1,500 older people throughout the five boroughs. In community forums, focus groups, and interviews throughout the city, older New Yorkers told NYAM what it was like to live in the city from their perspective. These discussions were part of the age-friendly New York City Initiative, a partnership between NYAM, the New York City Mayor's office, and the New York City Council designed to make the city a better place in which to grow old. NYAM's new report entitled, *Toward an Age-Friendly New York City*, represents the major themes to emerge from these discussions. The report is available online at NYAM's website,

www.nyam.org. We look forward to your continued leadership as we work to make New York City a more age-friendly urban community. Thank you.

[Pause]

LISA BURRISS: Good afternoon, I appreciate everyone's time and the Chair--the Madame Chairwoman's attention to this issue and this opportunity to speak on it. I'm Lisa Burriss, I'm from good old lower East side and I direct the Project of Public Housing Residents of the Lower East Side. We've been in existence for over--almost 10 years now and we organize public housing residents within the 21 developments located on the lower East side and we provide--we do that via direct service and community organizing. I'm here today not--just because this is a huge and important issue to a lot of the people that we serve and organize in our community and a large--if we look at the root, root cause of this, the big elephant in the room is basically this investment to public housing. Tino Hernandez alluded it. Only in public housing, right, do residents worry about the federal government funding them. Only in public housing, right, do

1 residents worry about punitive laws like the  
2 community service requirement. And  
3 disproportionately and uniquely, there's accounts  
4 in public housing and crime, right, unlawful  
5 frivolous arrests, let's think about Timothy  
6 Stansbury who got shot on his roof, that happens  
7 in public housing and also families like the  
8 Neuman and McFadden family, lose precious loved  
9 ones to accidents--unfortunate accidents in public  
10 housing. [Pause] This says a lot and it's  
11 disturbing to me. [Pause] And increases my  
12 feelings of the New York--of the residents in New  
13 York City in public housing being a second-class  
14 citizens. [Pause] But with all that said, let's  
15 look at the Housing Authority and in facing this  
16 deficit and not looking as bad as their  
17 counterparts across the country. Their  
18 counterparts have resorted to selling,  
19 demolishing, privatizing public housing. That's  
20 not what this Housing Authority has done, instead  
21 they thought of various ways to stand on their  
22 head while they balance--while they manage and  
23 operate the largest Housing Authority in the  
24 country under-funded. Let's see, they've used  
25

reserves, they've raised various fees, implemented hiring freezes, laid-off workers, use Section 8 vouchers to fund unfunded city and state developments and these are all things that are gone and not only have adverse impacts on the livelihood of public housing, but the affordable housing stock as we know it. So while we're hopeful about the--while the hopeful and intentional creative ways that the Housing Authority has addressed the deficit, we still have concerns about the future of public housing. One of the things though that they have done positively was created the centralized calling center to address issues like repairs in elevators. This centralized calling center came after my personal incident with the Housing Authority in an elevator. When I was 10 years old, I fell in an elevator shaft and the elevator came down on me and I almost lost my life and I'm grateful that I'm here to tell the story, but it says a lot about much not changing in public housing in spite of the looming deficit. There's still accountability that has to be put on the Housing Authority and the way they manage and

operate. My mother had made several complaints about the elevator and when I had opened that door, I did not look to see if elevator was there because I thought it was there and I fell in an elevator shaft and I almost died. Needless to say, we sued and that money put me through college so that was a good, that was a good corollary out of it, but ultimately it speaks also to some of the ways that NYCHA can improve the way they operate and manage in general. Currently though, right now residents when they do have issues with elevators, they have to call through centralized calling center and it's hard to follow up with it. The only information that you can use is basically the operator because there's never--there's usually a reference number that's not provided. It's hard for me to follow up on the issues with the elevator, within our district we have residents in Seward [phonetic] Park extension that are scared to--they want to transfer out of their apartment because twice she's been stuck in the elevator with the ambulance while they were taking--rushing her to the hospital. Bersetty [phonetic] Houses, it rains in the elevator. In

Valatic [phonetic] Houses they've had new elevators, but there's constant reports about conditions--I mean issues with the new elevators, they're stuck, they don't work, or they get stuck between floors. And then the Awald [phonetic], a parent talked about losing a baby once while she's walking up the steps. So these are conditions that have to be really addressed and then if you look--if I go back to just the root, root problem of it and Tino Hernandez alluded to it, too, is there's a lack of security, right. There's a lack of people that oversee that the elevators--there's residents that report that residents have access to the key to the elevator. And so what they do is they hold the elevator, they control when it goes in and out, and that also compromises the way that the elevator is function and the safety for the rest of the residents. Residents have to walk upstairs with children at night sometimes or have to wait in the lobby until the elevators are fixed, their groceries are rotting and the children are tired and the elderly want to get home. So what are some recommendations in lieu of just complaining, right? Or reporting our

concerns. Let's revisit the fact that even if NYCHA is--runs perfectly, their ability to operate is compromised because they're understaffed and they're under-funded. They don't have enough staff honestly to address the elevators, the 300-- the 3,300 elevators that they have. So let's revisit NYCHA's payments to the city. We--they talked about it's hard to control the graffiti and the defacement of the property, but what--then what are we paying police extra--what are we paying the police extra money for services for, special services if they can't even secure our elevators sufficiently. And then I'll say this, too, today elevators, tomorrow's gunshots, right? So like we got issues with elevators, but then there's still this overall issue about the conditions that are faced in public housing and that the root cause is being just the funding. So I hope that--I applaud your initiatives, Madame Chair, to address the funding--the deficit for NYCHA and I encourage your colleagues like especially specifically people like--I mean, not people, Councilwoman Inez Dickens, who has the most public housing in the district, to put--to

show demonstrate more concern and support towards these issues. And I thank you all for your time.

[Pause]

JOSEPH GARBER: Good afternoon, Chair Mendez, Chair Jackson, Committee Council, Committee Policy Analyst, members of NYCHA staff present, Sergeant-At-Arms and members of the public. My name is Joseph Garber, I'm a long-time resident of public housing, growing up in Douglas Houses, now living in Independence Towers, which was subsequently changed to Taylor-Wythe Consolidated on or about July 16, 2006. And I am also a Director of the Civil Service Merit Council, which has a vested interest since at least 25,000 city employees reside in public housing, as well as an untold number of state and federal employees. Let me take this issue from different vantage points. Okay. Number one, it's very interesting to note that the final PHA plan, which NYCHA so lovely gave me because they know I read it from page to page only makes one reference which I could find to elevators in general. On page 136, it states that for FY 2007 there were four elevator apprentice helpers hired who lived

in public housing, but none who did not live in public housing. That is very interesting that the whole elevator issue did not come up in the whole PHA plan. Now years ago, the procedure was that there was an A.M. caretaker who would come at 0700, 7 a.m. in the morning and check all the elevators in the lobby, they would push a button or two and see is the elevator there, etc. This was discontinued as a result of finances. Now it's very interesting to note that in the October 2008 journal on page 1, the Housing Authority is starting a new initiative which the chairman alluded to his testimony, If You See It, Report It, and, for the record, let me just state for General Manager Apple, the formal technical name is centralized call center, not central call center, he said that numerous times and I want to correct him for the record. It's a very good idea, and there was various issues where they want feedback, safety guards, intercoms, lighting on buildings and grounds, my favorite thing, vandalism, which many occurs in elevators and exit entrance doors. However, I think Chair Mendez with this segue [phonetic], I'm going to ask you

to please, let's revisit at a subsequent meeting the CCC because I have some horror stories. I recently called to complain about inoperable call buttons either on a respective floor or in a respective elevator cab within the Taylor-Wythe Consolidated complex. And I check up on it because I get a number. I receive that the case was--the call was closed out and the numbers still not operated, the call button is not being lit. So I made an IG complaint on two or three incidents and I gotten some more serious ones, which I do not want to talk about here. But let me go into some concepts, I see we still have a problem and this shows how bad NYCHA is. Okay. Number one, the term--I read the analyses of the City Council, as well as Tino's analyses. Now there seems to be disparate numbers, okay. The Council analysis states that there are 405,000 authorized residents, which I'm happy we're using the term authorized, because part of the problem we're losing money is because there's an undisclosed number of unauthorized people which I have been able to stumble upon, but until we make every apartment available to an authorized person,

1 we're losing money, but yet Tino said we have  
2 403,000. So, I mean, how could we lose track of  
3 apartments. Then as far as resident--residents--  
4 as far as apartments, okay, the Council analysis  
5 states 178,137, while Tino stated 178,000. Now  
6 let me just jump a minute for something else, it's  
7 interesting to note in the Mayor's Management  
8 Report, the Mayor's Management Report that just  
9 came out, they talk about the figure that they  
10 admit that it's gone in physical '09--FY '09,  
11 okay, it was--it's 10--an average of 10 hours to  
12 repair and elevator, which if it's an accurate  
13 figure I think many cases that I've seen in  
14 Taylor-Wythe William [off mic] some other  
15 developments, it might be more, but in FY '06 it  
16 was 9.6 ,so that would be a good statistical  
17 analysis. Also the elevator service time,  
18 according to the MMR, is 97% but what really makes  
19 me dumbfounded, there's a concept now in as per  
20 Mayor Bloomberg and the Mayor's office operation  
21 called critical indicators of an agency and on  
22 page 77, NYCHA did not identify as an elevator  
23 situation as a critical indicator, which I can't  
24 believe, all right? That is wrong. Now on page 2

on page 2, okay. It states that it's called Emergency Service Division, however, I've seen some testimony today, it says of Emergency Service Unit, so why say why is there a difference between a division and unit, I can go into great public administration concept, but I'm saying this shows where there's smoke, there's fire. If NYCHA doesn't know what they're called, that's a shame, shame, shame, shame, shame, shame. Now let me just go back to this a moment, I don't want to ad lib on non-elevator issues, but to show you that-- what a problem. On June 3rd, in Brooklyn, at the Brooklyn town hall meeting, I corrected on page 9 a state agency's proffered designation. Guess what, in the plan evidently I'm going to say it's a Les Morgan Glenn [phonetic], my so-called best friend refused to correct it because I made the correction. So you're submitting a report to HUD that has a wrong designation after I corrected it. Yet I have minutes where Michelle Pen [phonetic] our clerk stated--or Michelle Pinnot [phonetic] that any correction that we heard at the town hall meetings, public meeting, oral or written has been corrected. So I'm going to prove and go with this

that is a fraudulent document. Anyway the story with elevators is the story with NYCHA in general. There's not enough people, but, however, I can say in generalities, I'm very much acquainted with the building at 70 Climate [phonetic] Street. I'm only going to say this, that being the superintendent in charge is the key, as the New York Times article two or three days after August 19 stated, that the Superintendent Calvin Darby [phonetic] misplaced the DOB elevator reports, now that's to me is unexcusable. Now I have to mention consolidation, had it not been consolidated, we would've had Independence Towers and Taylor-Wythe. We consolidated, but the wrong people were placed in charge and that's, I'm going to say in generality without going to specific is part of the problem like this tragedy occurred in Taylor-Wythe. You have the manager and the super that are, to me, grossly incompetent. Anyway it's a serious problem the elevators, I want to commend you, Chair Mendez, for once again for calling a vital hearing, but we have to deal with NYCHA in a total Gestalt [phonetic] approach not going beyond the leg, the heart. There's a serious problem in

1  
2 NYCHA, I would suggest again if my good friend  
3 Mayor Bloomberg hears this, if he could possibly  
4 get NYCHA under his bailiwick [phonetic] as he did  
5 with the Board of Education and make it the  
6 Department of Education, but NYCHA needs better  
7 [off mic]--I also found out reading the minutes  
8 that Joyce Harrison gave me that there was another  
9 trip to Washington on October 2nd, which I knew  
10 nothing about. I wonder if any other resident  
11 leaders--and I'm surprised why myself and Lisa are  
12 the only residents present here today, that I  
13 can't tolerate, but it must've been some poor  
14 communication. Why, this room should be packed.  
15 I called maybe 15 people and nobody else came out.  
16 All right. Thank you and I'll be glad to help you  
17 in any way shape or form. Thank you.

18 CHAIRPERSON MENDEZ: Thank you. Any  
19 questions? Robert?

20 COUNCIL MEMBER JACKSON: First let  
21 me thank all of you. This is--I believe this is  
22 the last panel, is that correct?

23 CHAIRPERSON MENDEZ: Yes.

24 COUNCIL MEMBER JACKSON: Well let me  
25 just say that it's extremely important that when

1  
2 you stay the course and you listen to the people  
3 at the end the people at the end are the people  
4 that are directly impacted, Joe Garber, the other  
5 woman that was here, you, sir, as a union local  
6 president, I found your testimony very interesting  
7 that gives basis for follow up with NYCHA and  
8 especially if, in fact, they're contracting out of  
9 the type of work that you talked about, cost twice  
10 as much as having the in-house staff. So that's  
11 clearly should be looked into because, quite  
12 frankly, the issue of the budget deficit is a huge  
13 issue, everyone is fully aware of. And I think  
14 that we all need to make sure that we're doing  
15 everything we can in order to, one, as you talked  
16 about the infrastructure, you know, the heating  
17 plant, water, elevators. 'Cause I don't live in a  
18 NYCHA building, I live in a private building, the  
19 six story building with maybe 47 units and I've  
20 had conversation with the super and mainly tenants  
21 want--obviously they want to be safe obviously--\*--  
22 but heat and hot water and elevator working, those  
23 are the primary things and when one of them are  
24 not working, you have a problem with everyone  
25 starts to complain and rightfully so. Clearly, I

1 think though that NYCHA when it talks about the  
2 monies from the state and the city. You know,  
3 obviously we as a city and the state are deadbeat  
4 dads and need to go on the list and have their  
5 checks garnished in order to pay their fair  
6 share. I know that Rosie Mendez and myself and  
7 others have been out front in trying to work to  
8 try to get funding for NYCHA and, as you know, in  
9 the last budget cycle, City Council allocated \$18  
10 million, which is, when you look at their whole  
11 deficit, is a small amount, but my philosophy is  
12 every little bit helps and it shows good-faith  
13 effort on the part of the City Council to try to  
14 at least give some support. So, but I want to  
15 thank you all for coming in and I appreciate what  
16 all of you had to say specifically concerning this  
17 particular hearing and, like I said to you I think  
18 and, Joe, you're always on point, always on point.

19  
20 JOE GARBER: I just I--

21 COUNCIL MEMBER JACKSON: And, sir,  
22 is--

23 JOE GARBER: --may I have one half a  
24 minute?

25 COUNCIL MEMBER JACKSON: Okay. One

second.

JOE GARBER: Yeah.

COUNCIL MEMBER JACKSON: The president, I think you raise a lot of issues and hopefully we'll follow up on some of these.

MALE VOICE: [Crosstalk]

COUNCIL MEMBER JACKSON: In order to, you know, try to hold everyone's feet to the fire, not only NYCHA, but City Council, state legislature, federal government, because I think that everybody understands we're dealing with a structural problem and that is not enough money to run the system. So I want to thank you all for coming in. Thank you, Madame Chair.

JOE GARBER: I just--just a half a minute, please? I realized last night, I knew it was in there, I looked up the NYPD Patrol Guide subsequent to the merger, there's a whole two, three-page paragraph about interior vertical patrol at the housing bureau and one of the things they start out talking is that the officer, when he enters a building through a vertical patrol, it states he should take the elevator if operable to the roof. That's the first thing, and he has to

1  
2 do elevator checks--he or she--to see if the  
3 elevators are running and then make a activity log  
4 entry and then do a field report. So I don't  
5 think that Chief Jaffe is inculcated in the  
6 housing bureau personnel that are still under [off  
7 mic] not assigned to the patrol bureaus, okay,  
8 that they should be--when they're doing the  
9 verticals and it's in the Patrol Guide, but I  
10 think everybody forgot about it, that they have to  
11 check elevators. So I think that could be an  
12 additional eyes and ears and I appreciate NYCHA  
13 let the GM and the Chairman know so he could take  
14 it up with Commissioner Kelly at the next meeting.  
15 Thank you.

16 MITCHELL FEDER: Can I make a  
17 comment, please?

18 CHAIRPERSON MENDEZ: Let me just  
19 first of all, then you can get your comment, I  
20 have a question for you. Ms. Stem, I'm assuming  
21 you're here because Ms. Williams and Ms. Kibbler  
22 could not be here.

23 CAROLYN STEM: Yes, yes [off mic]  
24 Yes, definitely.

25 CHAIRPERSON MENDEZ: Okay. And

thank you very much for coming and submitting this testimony. Melissa Mark-Viverito, which represents that area, left before this, I will make sure she gets a copy of this testimony as well.

CAROLYN STEM: Thank you.

CHAIRPERSON MENDEZ: Okay. [Pause] And [pause] Mitch--Mr. Feder, let me call you by-- appropriately. So you're here on behalf of the Union submitting this testimony.

MITCHELL FEDER: Of my chapter not the local.

CHAIRPERSON MENDEZ: Of your chapter, okay.

MITCHELL FEDER: Yes.

CHAIRPERSON MENDEZ: Thank you. And just--

MITCHELL FEDER: And myself as well.

CHAIRPERSON MENDEZ: Okay. So just for the record, you and I and other union members have met regarding CM Build and we're going to have a follow-up meeting, I've gotten--

Mitchell Feder: Yes.

CHAIRPERSON MENDEZ: --I'm about to

1  
2 get an update and so I want to share that with  
3 you--

4 MITCHELL FEDER: Thank you.

5 CHAIRPERSON MENDEZ: --and, you  
6 know, this is something we discussed will be at  
7 future hearings, so I just want to reiterate that  
8 for the record. And I wanted to ask you, the 2004  
9 reorganization, where the elevator design and  
10 review unit was disbanded?

11 MITCHELL FEDER: That's correct.

12 CHAIRPERSON MENDEZ: And the purpose  
13 of disbanding the unit back in 2000 [crosstalk]

14 MITCHELL FEDER: [Interposing] I can  
15 only assume is they followed up on the  
16 consultant's recommendations just as a cost  
17 cutting method, they thought maybe it was  
18 redundancy and so forth, and I would have--  
19 personally I would have overruled them, 'cause  
20 this is highly technical stuff and you just don't  
21 have any professional in general, and this is not  
22 an insult to the other licensed architects and  
23 engineers, unless you specialize in it, it's just  
24 like you have design specialists for hospitals,  
25 for schools, and so forth.

CHAIRPERSON MENDEZ: So the Housing Authority hired a consultant to--prior to 2004 to figure out how to run things more efficiently and this was one of the recommendations and they implemented it in 2000 [crosstalk]--

MITCHELL FEDER: [Interposing] This is what I was told.

CHAIRPERSON MENDEZ: Okay. That is very helpful I will follow up with the authority on that. And Mr. Garber--

JOE GARBER: Yes.

CHAIRPERSON MENDEZ: --you are always very insightful and I want to, one, publicly thank you for bringing to my attention that this hearing was going to be held on a day that would have impacted Jewish faith individuals and prohibited individuals from coming here--

JOE GARBER: [Interposing]  
[Crosstalk]

CHAIRPERSON MENDEZ: --or participating completely to the end, so we did change the hearing date. I don't know if that's part of the reason why there are not more people here I--

JOE GARBER: [Interposing] I don't know, I don't know, I--

CHAIRPERSON MENDEZ: --I certainly expected to have more people here, having heard from many of them in prior hearings about elevator problems--

JOE GARBER: Right.

CHAIRPERSON MENDEZ: --but we'll look into if that had anything to do with it. And Mr. Feder you said that you wanted to--

MR. FEDER: [Interposing] Yes, to follow up. As far as the costs to--I'm not sure if it was you or one of your other members, asked how much it would cost to do every remaining elevator. Based on the information that I have, at most, as I stated in my testimony, at most 1,000 elevators have been totally renovated or modernized in the last 10 to 12 years, leaving roughly 2,300. To do those 2,300, total modernizations would run between 500 and \$600 million at a cost of \$225,000, to give you a ballpark. I also would like to point out that if you take the 34,000 nearly average outages, divide that by their numbers and one down car per month,

1  
2 it comes out to 2,800, on average, cars being out  
3 one outage per month and that's like my backing  
4 into my number that only 1,000--I don't think  
5 2,000 newly renovated in the last five to ten year  
6 elevators would be going out once a month  
7 continuously. So my information is only 1,000  
8 elevators have been done and in the last four  
9 years, maybe if you're lucky, 50 and that has to  
10 do with the changeover in the administration's  
11 management style of having the CMs run things  
12 versus us doing it in the past.

13 [Pause]

14 CHAIRPERSON MENDEZ: Okay. And if  
15 anyone else wants any last comments, I will--I  
16 want to thank this panel for staying 'til the end  
17 of the hearing and for your testimony and I look  
18 forward to continuing work with you on these  
19 issues.

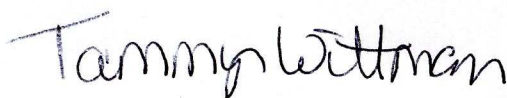
20 MITCHELL FEDER: Thank you very  
21 much.

22 CHAIRPERSON MENDEZ: This hearing is  
23 come to a close. Thank you.  
24  
25

C E R T I F I C A T E

I, Tammy Wittman, 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

A handwritten signature in cursive script that reads "Tammy Wittman". The signature is written in dark ink and is positioned above a horizontal line.Date December 1, 2008