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NYCHA FEDERAL MONITOR
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Dear New Yorkers:

This letter reports on NYCHA's progress as required by the HUD Agreement, providing a high-level overview of NYCHA's performance since my letter in February 2022. This letter is devoted to a discussion of NYCHA's progress in addressing waste management and pest control challenges throughout the NYCHA portfolio. While NYCHA's remediation efforts in both categories are broad-ranging, here we highlight three important initiatives in waste management, and three in pest control, that should help to improve the quality of life for NYCHA residents.



*Bart M. Schwartz, Federal
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Waste Management: The Monitor has instituted a program for periodic measurement of waste conditions throughout the developments, including the common grounds and waste yards, as well as all interior public spaces, including lobbies, hallways, elevators, stairwells, basements (including compactor rooms) and rooftops. Measurements are made by our inspectors on a portable app known as "WAMMA," short for Waste Management Measurement App. Conditions are graded and photographed, and uploaded into a central database that can then organize the data in a variety of ways, showing trends over time in specific buildings or developments. The completed reports are circulated to NYCHA's waste management staff at the developments so that they can respond to negative conditions that have been observed. The program has been successful, as there has been marked improvement in developments throughout the City where WAMMA had noted problematic conditions. The Monitor will work to transfer the WAMMA program to NYCHA before the end of the Monitorship.

NYCHA has also instituted a pilot program in Brooklyn for augmented collection of curbside trash at six developments. Supplementing the Department of Sanitation's three-day a week curbside garbage collection, NYCHA's Waste Department has purchased two 6-yard rear-loading dump trucks for collection on the remaining three days a week (excluding Sundays), resulting in curbside collection six days a week. This accelerated curbside collection program dramatically reduces the amount of time when garbage bags sit unattended on the curb, vulnerable to the elements, birds, vermin, rodents and humans. As a result of this program, these six sites are noticeably cleaner than they had been previously, when garbage bags were constantly being ripped open and their contents strewn about. The program's success has led to consideration of the purchase

or lease of additional garbage trucks of varying sizes to increase collections at other curbside garbage pickup sites, which exist at approximately one-quarter of all NYCHA developments.

Finally, with the Monitor's support and assistance, NYCHA's Waste Department is instituting a crash program to seal and fix broken trash chute hopper doors that serve as conduits – called the “chimney effect” – for fires started in the chutes or the interior compactors in the basement. As a secondary concern, properly functioning chute doors for resident use is an important aspect of the waste management infrastructure in developments so that trash can be quickly and neatly removed from buildings. The first priority of the program is to identify all chutes that cannot close because they are broken or caked with grease and grime. The former will be sealed, and the latter cleaned, so as to eliminate the fire hazard. The second priority will be to repair the broken doors, and then maintain a program of monthly inspections and ongoing repairs to eliminate the fire hazard altogether and ensure that broken hopper doors can quickly be put back into service.

Pest Control: With the decline of COVID, the Monitor Team, including its two expert entomologists, have recently been able to enter apartments and conduct interior inspections of NYCHA and vendor pest remediations. Following each set of inspections, the attending entomologist writes a report on his observations and findings, and the Monitor submits that report to the NYCHA Pest Control Department. The Pest Control Department, in turn, disseminates the Monitor's findings to the borough Supervisors of Exterminators, who are charged to communicate that information to their exterminators, so that the “lessons learned” from the Monitor's inspections can be quickly adopted in the field. So far, three sets of inspections have been conducted; the program will continue throughout the spring and summer, and possibly longer. Based on recent inspections, the Monitor has also recommended to NYCHA that all their pest remediation efforts be better coordinated – at present, there are four separate pest remediation operations (Pest Control, the boroughs, vendors and Capital Projects), with no consistent supervision and varying standards of professionalism. NYCHA is studying the Monitor's recommendation which, if adopted, should result in a significant reduction in pest infestation levels.

Properly installed door sweeps are one effective method for reducing interior rodent infestations, as the sweeps prevent rodents from entering buildings in the cracks beneath outside doors. We previously reported on NYCHA's efforts to install 8000 door sweeps, as required by Paragraph 46 in Exhibit B to the 2019 HUD Agreement. We are pleased to report that NYCHA recently completed that assignment successfully. Moreover, to its credit, NYCHA Pest Control continues to identify exterior doors that need door sweeps, and to install them, beyond the Agreement's requirement. This has become a successful, ongoing project.

Finally, at the instigation of the Monitor, NYCHA Pest Control has begun a vigorous effort to inspect insecticide storerooms and ensure that they are maintained in accordance with Department of Environmental Conservation (“DEC”) regulations. Pest Control has dedicated two Supervisors of Exterminators (“SOEs”), fulltime, to conduct

inspections of these storerooms throughout the portfolio, and monitoring of cleanup efforts following the SOEs' reports on unsafe conditions identified by their inspections.

I. Waste Management

A. WAMMA

As previously reported, NYCHA's waste management obligations under the 2019 HUD Agreement arise primarily from Paragraph 45 of Exhibit B. Paragraph 45 mandates that at least once a day, trash be collected at every NYCHA building and its contiguous grounds, and removed or securely stored for pickup by the Department of Sanitation. Implicitly, Paragraph 45 requires that NYCHA properties be trash-free. Given NYCHA's size and the breadth of this requirement, the Monitor faced a considerable challenge in attempting to measure the Authority's compliance. To solve that problem, the Monitor, in conjunction with NYCHA's Waste Management Department, developed a mobile application called "WAMMA", short for "Waste Management Measurement App". The WAMMA app can be downloaded on a tablet or a smart phone. It is then used to measure the degree of cleanliness throughout development grounds, including sidewalks, entranceways, lawns and waste yards – as well as all public spaces in building interiors, including basements, compactor rooms, lobbies, hallways, stairwells, elevators and rooftops.

The WAMMA app allows an inspector to observe conditions in each of the areas mentioned above – sidewalks, waste yards, compactor rooms, *etc.* – and photograph the conditions observed. The app also allows the inspector to write comments concerning the conditions observed. The inspector will then assign a grade from 1 to 5 to the particular development facet being inspected. 1 is the lowest grade, indicating truly deplorable conditions, and 5 signifying the highest degree of cleanliness reasonably achievable. Once the inspection of a particular development is completed, the data and photos are uploaded into the Monitor's data base, and the completed report is circulated to the Monitor Team. Here is an example of two WAMMA reports that resulted from two separate inspections at the same development, conducted months apart, that indicate a marked improvement in general waste management conditions.¹ As with all the Monitor reports, these reports also memorialize evidence of any safety concerns that are observed so that they can be brought to the attention of NYCHA for proper correction.

https://filecloud.guidepostsolutions.com/url/First_Inspection_Report
https://filecloud.guidepostsolutions.com/url/Second_Inspection_Report

The Monitor Team then promptly reviews the report and forwards it to various personnel at NYCHA, including the Waste Department, for their use in helping to improve any negative conditions found at that development. The Monitor Team also analyzes the data in a variety of ways, including comparisons to prior inspections, review of conditions

¹ We have redacted the names of individuals that had been contained in the original reports. We also note that since the first inspection took place during the heating season, the report also memorializes some of the conditions found in the boiler at that time.

in a particular neighborhood with two or more subject developments, and overall trends. Here is a breakdown of scores for developments inspected in February and March 2022:

Ratings Distribution for February and March

Overall Average Submission Score - February		
Borough	Average Total Score	Inspections
BRONX	2.91	5
BROOKLYN	2.92	11
MANHATTAN	3.10	12
QUEENS	2.70	9
STATEN ISLAND	3.87	2
Total	2.97	39

Overall Average Submission Score - March		
Borough	Average Total Score	Inspections
BRONX	3.08	2
BROOKLYN	3.17	10
MANHATTAN	2.89	13
QUEENS	3.09	5
STATEN ISLAND	3.67	9
Total	3.18	39

Average Ratings by Borough for February and March

Lowest Submission Score - February		
Borough	Lowest Score	Development
BRONX	2.01	FOREST
BROOKLYN	1.28	GOWANUS
MANHATTAN	1.90	POLO GROUNDS TOWERS
QUEENS	2.30	QUEENSBRIDGE SOUTH
STATEN ISLAND	2.88	RICHMOND TERRACE
Lowest Submission Score - March		
Borough	Lowest Score	Development
BRONX	2.54	CLASON POINT GARDENS
BROOKLYN	2.36	SUMNER
MANHATTAN	2.06	AUDUBON
QUEENS	2.64	QUEENSBRIDGE NORTH
STATEN ISLAND	2.15	WEST BRIGHTON II

Highest Submission Score - February		
Borough	Highest Score	Development
BRONX	3.52	PATTERSON
BROOKLYN	3.95	MARLBORO
MANHATTAN	3.65	DOUGLASS II
QUEENS	3.27	OCEAN BAY APARTMENTS (OCEANSIDE)
STATEN ISLAND	4.85	TODT HILL
Highest Submission Score - March		
Borough	Highest Score	Development
BRONX	3.62	SOUNDVIEW
BROOKLYN	4.18	PINK
MANHATTAN	3.64	VLADDECK
QUEENS	3.79	WOODSIDE
STATEN ISLAND	4.91	TODT HILL

Since its inception in March 2021, WAMMA reports have been generated at 179 developments (out of 305 in the portfolio). Further, the Monitor Team is nearing the end of a six-month pilot program implementing WAMMA repeatedly at 20 developments so that trends there can be carefully followed. The program has proven to be successful, as there have been measurable improvements in many of those developments that had waste issues prior to initiation of the program. In that regard, scores in February averaged 2.97 across the three development sizes. In March, average development scores ranged from 3.04 and 3.50, resulting in an average of 3.18.

At the completion of the pilot, the Monitor Team, working with NYCHA, hopes to broaden it to an additional 20 developments, and then gradually expand repetitive inspections to embrace the entirety of the NYCHA portfolio. At some point before conclusion of the Monitorship, the Monitor will look to transfer the WAMMA technology to the Waste Department so that it can manage the program on its own.

B. Brooklyn dump trucks

Approximately one-quarter of all NYCHA developments lack ready access to waste yards with storage facilities, and so they must rely on 2-day or 3-day a week curbside garbage collection by the Department of Sanitation (DSNY). Even those developments that have waste storage capacity engage in curbside collection of garbage within their developments for deposit in their waste yard storage facility (ultimately to be collected by DSNY).

Garbage bags deposited curbside are vulnerable to the elements as well as birds, vermin, rodents and humans. The longer a bag sits at the curb, the greater the likelihood that it will be torn open, with the garbage strewn about the immediate environment. Accordingly, there is a premium on collecting curbside garbage bags as soon as possible after they have been deposited on the ground. The common practice among caretakers at curbside collection developments, however, is to collect the garbage bags from within the development and deposit them curbside in the late afternoon – for pickup in the morning by DSNY. With collections occurring only two or three times a week, however, the garbage can sit for several days before pickup – and if DSNY misses or delays its scheduled pickup due to holidays or snow removal responsibilities that occur from time to time, the garbage sits there that much longer.

To remedy this situation, the Waste Department, with the full support of the Monitor, has purchased two 6-yard rear-loading garbage trucks to supplement DSNY collections with Waste Department collections:



A pilot now ongoing in central Brooklyn at six developments employs these two trucks on non-DSNY collection days, resulting in these developments having the benefit of curbside garbage collection five or six days a week.



Once the garbage trucks have made their rounds and are full, they take the garbage to the Varick Street Transfer Station in Williamsburg, Brooklyn, where they dump the garbage for pickup and long-haul to a landfill.



The program has been highly successful, resulting in much cleaner conditions on the grounds, sidewalks and streets at these developments. The Waste Management Department hopes to expand this program by purchase or lease of additional dump trucks of varying sizes, with a view towards dramatically reducing the amount of unsecured garbage sitting curbside for an unreasonable period of time, as well as deployment of these trucks for special cleanups throughout NYCHA.

C. Trash Chutes

In November 2021, a fire erupted at Mitchel Houses in the Bronx, killing a 6-year old boy and injuring his father and 10 other people, including two firefighters. The fire, which began in a clogged trash chute on a lower floor, became lethal when someone opened the trash chute hopper door on an upper floor, creating a “chimney effect” that sucked the fire and smoke straight up the chute and out onto the floor. This tragedy underscored the need to address a chronic problem throughout NYCHA’s portfolio – broken trash chute doors that cannot close, posing a hazard if a fire breaks out at a lower level in the chute. In that regard, fires are a particular risk in chutes that are clogged or caked with grease and other flammable substances. Thus, the challenge is two-fold: cleaning the chutes to remove flammable substances and repairing the trash chute doors to eliminate the risk of a deadly “chimney effect”.

Together, the Monitor Team and the Waste Management Department are tackling this challenge. The Waste Management Department, in conjunction with the Monitor Team, and with the full support of NYCHA’s Chief Operating Officer, has developed a plan to address the trash chute problem, starting with identification and sealing (pending repair) of all broken trash chute doors throughout NYCHA. Often, a trash chute door will not close simply because it is caked over with grime and waste particles. Here is an example of that:



In other cases, the trash chute hopper pan or the hopper door handle is bent or damaged such that the door cannot stay shut, even if grime and clutter are removed. Here is an example of that:



In either case, the open door presents a fire hazard, and must be sealed or fixed immediately. Other conditions that prevent the hopper door from self-closing, and thus constitute a fire hazard, include missing screws; obstructions (often by items that are larger than the pan); a missing door weight; or a faulty hydraulic piston.

The two-phase remediation program recently received approval by NYCHA leadership and will likely be instituted this month. The first phase, scheduled to be completed in June, consists of a blitz inspection of all hopper doors in each development. The Neighborhood Administrator, with 1 Supervisor of Caretakers and 1 maintenance worker, will inspect at least 1 development per day in that neighborhood, completing all developments in the neighborhood within a few weeks. The immediate task is to identify hopper doors that need to be sealed or cleaned in order to shut. These doors have to be sealed or cleaned within 24 hours of inspection. Sealing will be done with a steel plate or sheet metal.

The second phase consists of a long-range plan for inspection of all hopper doors and chutes on a monthly basis, with an orderly program for maintenance of the doors and cleaning of the chutes. The condition of the doors and chutes, and status of repairs, will be tracked by photographs and data recordation on a specially designed app for handhelds. The blitz inspections and immediate sealing initiative, combined with the long-range program, should ensure the protection of NYCHA residents from trash chute fires.

II. Pest Control

A. Interior Inspections

Most interior pest remediations at NYCHA are conducted by borough-based exterminators within the Operations Department, as well as vendors hired by the boroughs. It is the Monitor's responsibility, among others, to inspect the quality of these exterminations to ensure that they meet modern professional standards embodied in the protocol known as Integrated Pest Management ("IPM"). IPM focuses on elimination of food sources for pests within, and exclusion of pests from, apartment units, as well as more traditional methods of pest eradication as needed.

Unfortunately, for the better part of the past two years, the Monitor Team has been unable to conduct in-unit inspections of pest remediations due to COVID. Starting in the late winter of 2022, however, with the gradual decline of COVID, the Monitor Team has been conducting inspections with the guidance of two expert urban entomologists, Dr. Steve Kells and Dr. Rick Cooper. So far this year, three sets of inspections have been conducted, and more are scheduled.

At the conclusion of each set of inspections, the expert prepares a multipage report that identifies the strengths and gaps in the remediations observed, and shares that report with NYCHA Pest Control based in Long Island City, which is responsible for overall supervision of NYCHA pest remediations. NYCHA Pest Control, in turn, shares the "lessons learned" with the borough Supervisors of Extermination (SOE), who are responsible for communicating that information to the field exterminators they oversee, who in turn are charged to follow whatever instructions the experts have imparted.

While the inspections are going well, it is too early to tell whether the lessons that the experts are endeavoring to impart through their "after-action" reports are being adequately absorbed and adopted in the field by NYCHA. The more inspections the Monitor is able to conduct, and the greater the number of developments we are able to visit, the better will we be able to gauge the success of this important monitoring initiative.

At the same time, the Monitor has identified a structural inadequacy in pest remediations at NYCHA. Pest remediation is divided among four major groups: (1) the Pest Control Department; (2) the borough pest control extermination teams, which are part of the Operations Department; (3) third-party extermination company vendors; and (4) Capital Project vendors who are responsible for hiring and supervising their own exterminators to perform pest exterminations at Capital projects. They operate independently, so there is currently inadequate coordinated management or oversight of the four groups. And among the borough pest operations, the various pest control extermination teams operate independently of each other. The same is true for the Capital Project vendors. As for the extermination company vendors, the Pest Control Department supervises those it hires, and the boroughs supervise those they hire. Thus, at any given time there could be dozens of pest control teams working throughout all five boroughs with no central overall management, control, oversight or supervision, and no means of maintaining consistent professional standards of operation – or, indeed, ensuring that all teams are performing their assigned duties.

To ensure that professional standards are consistently maintained throughout the portfolio, the Monitor has recommended that all pest remediations be better coordinated and supervised for consistency. Only then can NYCHA be assured that all remediations are being properly – and completely – performed. In early April, the Monitor Pest Team provided NYCHA with a detailed report outlining our findings, concerns and some recommendations regarding the current lack of coordination between NYCHA’s various pest control groups. At present, NYCHA is reviewing the Monitor’s recommendations and considering what steps should be made to improve the quality of pest remediations throughout the portfolio.

B. Door sweeps

We reported on this matter in a prior Quarterly Report, but we are pleased to provide this update. After several attempts, Pest Control was able to fulfill the requirement of Paragraph 46 in Exhibit B to the Agreement that 8,000 door sweeps be installed on ground-floor doors with outside access to prevent ingress of rodents under the doors. The difficulties encountered in installing the door sweeps properly – so as to lie flush with the floor and cover all gaps on the bottom and sides, yet allow for untrammelled movement of the door – were finally solved, and the mission was completed. Here is an example of a door sweep that was improperly installed in the first instance, allowing ingress of rodents on the right-hand side:



Here is a door sweep that has been properly installed:



After completing 8,000 proper installations, Pest Control has assumed responsibility for installing additional door sweeps wherever they are needed, even though the Agreement does not require that. To that end, Pest Control has assigned various teams to inspect developments, identify doors that could use door sweeps, and install them. This effort should reduce the amount of rodent infestation at and below ground level in the developments.

C. Store-room initiative

New York State Department of Environmental Conservation (“DEC”) regulations impose strict requirements for the safe handling and storage of commercial pest insecticide products used by NYCHA exterminators and vendors. Among many requirements, insecticide products are to be clearly labeled, stored and secured in a separate dedicated storeroom uncontaminated by food products, personal items of clothing, or foreign matter or materials. The detailed list of restrictions goes on and on. At NYCHA, Pest Control is responsible for maintenance of the insecticide storerooms, which are located throughout the developments. As part of our responsibilities, the Monitor Team inspects the storerooms periodically and reports our findings to NYCHA Pest Control. Recent inspections by the Monitor and NYCHA Pest Control have revealed a series of deficiencies in maintenance of these storerooms:





In one storeroom, pesticide was found contained in a cookie jar:



In another storeroom, a full dining and cooking area was established:



These conditions are unacceptable.

As soon as senior management at NYCHA saw the problem brought to its attention by the Monitor, NYCHA Pest Control developed a remedial plan that is now in operation. At its core, two Supervisors of Exterminators have been tasked, as a dedicated assignment, to regularly inspect all insecticide storerooms and report substandard conditions to the development and to Pest Control – and then monitor the development's remediation of the unacceptable conditions. Here is an example of a cluttered storage room before the Pest Control SOEs met with development staff, followed by a photograph of the same area after that discussion.

Before:



After:



Based on our observations, it appears that Pest Control is doing an effective job, and that poor conditions in insecticide storerooms are being cleaned up. The Monitor Team will continue to inspect these storerooms and provide feedback to Pest Control about what we are seeing.

CONCLUSION

The six programs discussed above are important illustrations of the initiatives being undertaken by NYCHA to address waste management and pest control issues throughout the portfolio. The Monitor is optimistic that NYCHA's sustained attention to these issues, in combination with the other efforts it has initiated, will help improve the quality of life for NYCHA's residents.

Respectfully Submitted,

Bart M. Schwartz