Testimony of the
Staten Island Interfaith and Community Long Term Recovery Organization
Before the New York City Council
Committee on Recovery and Resiliency

Int. No. 562 - In relation to the creation of a Hurricane Sandy community groups and houses of worship recovery task force.

December 16, 2014

The Staten Island Interfaith and Community Long Term Recovery Organization (LTRO) submits this testimony in support of Int. No. 562, a Local Law in relation to the creation of a Hurricane Sandy community groups and houses of worship recovery task force. The proposed recovery taskforce elegantly aligns with the existing models of Long Term Recovery (LTR) groups across New York City, including the Staten Island LTRO.

The Staten Island LTRO is a coalition of community, faith-based, and national organizations dedicated to effective, long-term disaster recovery and preparedness on Staten Island. We formed in response to Super Storm Sandy to provide coordination and support to 90+ recovery organizations, mobilized in service-specific committees.

LTRO member organizations were on the ground fast and continue to help provide for homeowners in nearly every facet of their recovery and in almost every affected neighborhood on Staten Island. The combined efforts of our member organizations have provided immediate and long-term aid for nearly two years for thousands of Sandy-impacted Staten Islanders. The LTRO remains a primary resource for collaboration among these community recovery entities.

Recovery coalitions known as Long Term Recovery (LTR) Organizations and Groups were established in every borough of New York City, following the advice and assistance of FEMA and the nationally implemented model proposed by the National Voluntary Organizations Active in Disasters (NVOAD).

LTR Organizations and Groups offer the following strengths to the studies and recommendations targeted in the taskforce to be established by Int. No. 562:

1. Sustainable community and faith-based leadership
2. Knowledge of past and present unmet Sandy-related needs
3. Mapping of and direct communication with diverse recovery services and resources
4. Credibility on the ground in affected neighborhoods
5. Collaborative, creative solutions and partnerships after two years of coalition building
Recommendations submitted below correspond to the sections outlined in Int. No. 562 by Council Members Treyger, Cabrera, Deutsch, Eugene, Gentile, Koslowitz and Richards (see attached “NYC City Council Report of the Infrastructure Division” by Matthew Gewolb).

Selection of Public Members for the Taskforce (Section 1b, i-ii)

The Staten Island LTRO strongly recommends that the Mayor and Speaker of the Council provide equal representation to the five boroughs in the selection of the ten public members referenced in Section 1b. We also recommend the serious consideration of LTR and VOAD leadership as candidates for election as public members and/or as sources of consultation in selecting clergy and non-profit leadership for public membership.

For example, the Staten Island LTRO contains several members of clergy who not only participate in but provide significant leadership for Sandy recovery. LTRO clergy and lay leadership alike additionally showcase the criteria of “expansive experience in both not-for-profit corporations and Hurricane Sandy relief work” outlined in Section 1b.

The LTRO offers to submit names and/or engage in further discussion around potential choices for public members of this taskforce.

Description of the Roles and Services of Recovery Non-Profits and Houses of Worship, Individually and in Coordination (Section 1e, i)

LTR Organizations and Groups would be a vital resource in crafting an overarching “description of the role played by not-for-profit corporations and houses of worship in the aftermath of Hurricane Sandy and the services provided by them to the community, both individually and in coordination,” as outlined in Section 1e, i. The Staten Island LTRO has followed the model outlined in the National Voluntary Organizations Active in Disaster Long-Term Recovery Manual, in coordinating on the local level to meet “the serious and basic life needs which are not otherwise resourced.”
The combined efforts of Staten Island LTRO member volunteer rebuild organizations have led to over 3000 muckouts, with repair projects in more than 300 homes, the distribution of more than one million dollars in donations of rebuild materials and household items, and the mobilization of thousands of volunteers. Member agency disaster case management programs have helped distribute over two million dollars in support for clients with unmet needs through the NYDIS Unmet Needs Roundtable, assisting nearly 400 households. Member organizations offering legal services, financial counseling, health and mental health support, and other social services are regularly referred to these disaster case management and voluntary rebuilding organizations through LTRO committees, networking, and resource guides.

The experience in facilitating community recovery in several service areas puts the Staten Island LTRO, and LTRGs in other boroughs, in an ideal position for crafting the narrative and evolution of community recovery since Sandy in New York City.

The diversity of services, faith traditions, cultural and political representation, and organizational structures represented in a Long Term Recovery group can be found in the attached “Addendum I: Staten Island LTRO Leadership and Membership.”

Damages/Loss Suffered and Rebuild/Restoration for Recovery Non-Profits and Houses of Worship (Section 1e, ii)

The leadership and membership of the Staten Island LTRO are comprised of several clergy whose houses of worship were affected by Hurricane Sandy (including St. Margaret Mary’s Church and Church at the Gateway, among others) and have formed affiliations with affected synagogues identified through partnerships with the Jewish Community Center of Staten Island. The Staten Island LTRO could help facilitate the identification of and support for these affected entities.

An excellent citywide resource for the Section 1e, ii goal of the taskforce would be to increase communication and partnership with New York Disaster Interfaith Services (NYDIS), a leader in providing support for houses of worship in NYC that suffered damage from Sandy.

Past and Present Sources of Aid to Recovery Non-Profits and Houses of Worship (Section 1e, iii)

In the wake of 9/11 many national faith-based groups formed an umbrella organization, New York Disaster Interfaith Services (NYDIS), to administer an Unmet Needs Roundtable. NYDIS has worked on meeting the needs of survivors of 9/11, Katrina, Irene, and Sandy. LTRG representatives and a diversity of donors hear each case and allocate resources to meet needs. Disaster Case Managers have successfully presented the cases of over 16,000 households to the roundtable to the tune of some $6.8M (as of September 30, 2014). The roundtable has covered medical expenses; housing, food, and clothing needs; home repair and rebuild assistance; and referrals to housing, legal, and other counseling services.
The Unmet Needs Roundtable continues to provide a strong, sustainable vehicle for support of individuals in need of assistance. However, direct support of LTR Groups and their member organizations has dwindled significantly. Despite their strong local presence and service, these leaders in the grassroots recovery efforts have not been fully supported as a partner and viable resource in governmental recovery efforts. After pouring countless hours of labor and millions of dollars of materials into Sandy-impacted homes and communities, volunteer rebuild organizations have now exhausted their resources even as needs remain. For example, Staten Island’s voluntary rebuild support has nearly halved since September and we face the end of Disaster Case Management contracts in 2015.

While resources and organizational support dwindles, the unmet needs recorded by member recovery organizations are becoming more complicated and require additional advocacy, coordination, and support.

The LTRO echoes the significance of this taskforce with urgency, especially after our needs assessment of over 5000 Sandy-impacted residents on Staten Island from April to July 2014, which found 709 households calling for assistance with a Super Storm Sandy related need. 363 households had a need caused or exacerbated by confusion with the Build it Back program, 557 had a need relating to disaster case management, 451 homes requested rebuild assistance, and 232 families were in need of financial services. (See Addendum II: LTRO Needs Assessment of Sandy Impacted Residents.)

Recommendations on Meeting Existing Needs of Recovery Non-Profits and Houses of Worship
(Section 1e, iv)

The Staten Island LTRO continues to work collaboratively and creatively to meet increasingly complex Sandy-related needs with decreasing resources and attention. One approach to meeting these needs is through greater partnership with Long Term Recovery groups throughout New York City—expanding outreach, advocacy, and communications around remaining needs through combined projects, committees, and regular contact with community coalition leaders in other boroughs. **We are committed to increasing collaboration between the boroughs in order to advocate for survivors with unmet needs that may require more citywide partnership and a stronger voice.**

The following recommendations that would benefit from greater inter-borough support are taken from a press release generated by the Brooklyn Long-Term Recovery Group, Queens Recovery Coalition, and Staten Island LTRO on October 28, 2014 for the Two Year Anniversary of Hurricane Sandy:

**Secure temporary housing assistance for displaced residents.** There is an urgent need for assistance to (1) those who have been displaced since Sandy and are running out of financial
resources for their rentals, (2) those who are facing another winter living in unsafe conditions, and (3) those who will be displaced by upcoming phases in their rebuild/elevation or higher rent/flood insurance. Many homeowners have not recovered financially from Sandy and simply lack any resources to cover the cost of temporary housing and/or are having trouble finding affordable short-term housing. We aim to collectively brainstorm community-based solutions and advocate to the city’s Build it Back program.

**Advocate renters who fell through the cracks of citywide Sandy recovery services.** The gap between aid to homeowners and renters reveals negligence in meeting the needs of some of the more vulnerable populations of NYC. Very few renters have received assistance from Build it Back. As of March 2014, coupons had been issued to only 232 households, and only 83 of those households had managed to find apartments before the coupon’s expiration. LTRGs aim to continue to expand their support of renters, while also advocating for the reopening of the Temporary Disaster Assistance Program (TDAP) under the authority of the Department of Housing Preservation and Development (HPD).

**Increase support and capacity for community disaster case management (DCM), voluntary rebuild organizations, and local recovery non-profits and businesses.** LTRGs represent a diversity of local public, private, and volunteer service providers who aim for better coordination with national, state, and citywide recovery efforts. Support of these groups by their communities and wider efforts is crucial for sustainable, community recovery.

**Expand education on Flood Insurance premium increases to residents of affected neighborhoods and recovery service providers.** With FEMA’s new Flood Insurance Rate Maps released in 2016, residents and service providers will require an aggressive and accurate campaign around increases in their insurance rates and financial management. Bringing citywide campaigns to the borough-wide and community level can be expedited by partnership with Long Term Recovery groups.

**Coordinate a unified canvassing of remaining need with citywide support.** Community service providers are at the front lines of recovery and can see on-the-ground trends in need, but in order for a more efficient and coordinated response, we need a unified canvassing of remaining need. Partnership between national, city, and community networks could help make that a reality and insure that fewer struggling New Yorkers continue to fall through the cracks of the flood after the flood of services. Canvassing and phone banking efforts led by LTR groups have already been spearheaded in Brooklyn, Queens, Manhattan, and Staten Island.

**Recommendations on Utilizing Recovery Non-Profits, Houses of Worship in the Aftermath of Future Natural Disasters (Section 1e, v)**

A commitment to community resiliency derives from a long-term recovery model that envisions preparedness efforts through direct connection and commitment to community members, especially those who are most vulnerable: our seniors, people with disabilities, and
immigrants, especially those with language barriers. The Staten Island LTRO has further mapped out where vulnerable residents live in a 30-block radius of Midland Beach and we are training block captains to check on vulnerable neighbors and to mobilize resources for individuals in need. Examples of our other long term disaster preparedness efforts include: the securing of a location through the New Dorp Moravian Church to store disaster preparedness necessities and from which volunteers can be mobilized in the event of a disaster; participation of three of our Board of Directors in the New York Rising Committee to develop resiliency measures for Staten Island; hosting tabletop exercises; and creating a plan and communication tree for LTRO members in the event of a future disaster.

These are all key steps towards greater resiliency and preparedness, but the most sustainable step to resiliency in New York City would be for significant change in recovery policy to occur now which precipitates better future communication and coordination between federal, state, city, and community recovery efforts. Without sincerely committed discussion around where communications and coordination broke down, without earnest open ears to those who have seen the trials and successes of community recovery, without fair representation among the boroughs and diverse levels of representation, a policy of resiliency will not be possible.

We offer our knowledge, resources, and partnership to the development of this taskforce because we perceive that the Mayor and City Council have the opportunity to lead in the policy changes that would produce more resilient models of support for protecting this city and the homes and lives of its still vulnerable residents, who we work with daily.

**Attached Materials Referenced**

“Staten Island LTRO Leadership and Membership”

“LTRO Needs Assessment of Sandy Impacted Residents, April – July 2014”

“New York City Council Report of the Infrastructure Division by Matthew Gewolb, Legislative Director, for the Committee on Recovery and Resiliency led by the Hon. Mark Treyger on December 16, 2014”

For further information, please contact:

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ADDENDUM I: STATEN ISLAND LTRO LEADERSHIP AND MEMBERSHIP

LTRO COMMITTEE CHAIRS

Disaster Case Management
Lourdes Ferrer, Catholic Charities

Disaster Preparedness
Steven Clohessy, HPD/Port Richmond CERT

Finance, Mission, and Structure
Robert Dennis, St. Margaret Mary's Church

Health, Mental Health, and Spiritual Care
Patricia Kane, New York State Nurses Association

Individual Assistance
Rev. Karen Jackson, Project Hospitality

Rebuilding Committee
Ross Decker, Yellow Boots
Thomas McDonough, Tunnel to Towers Foundation
Derek Tabacco, Guyon Rescue

Policy, Advocacy, Legal, & Immigration Services
Margaret Becker, Legal Services NYC
Alana Tornello, SI LTRO

Volunteer Recruitment, Coordination, & Housing
Tami DiConstando, Retired Senior Volunteer Program
Peter Cavadini, New York Disaster Interfaith Services

BOARD OF DIRECTORS

Margaret Becker Legal Services NYC
Thomas Cunsolo Staten Island Alliance
Robert Dennis St. Margaret Mary's Church
Dr. Victor Dolan Old Town Road Civic Association
Farid Kader Yellow Boots
Thomas McDonough Stephen Siller Foundation
David Sorkin Jewish Community Center of Staten Island
Derek Tabacco Guyon Rescue
Rev. Terry Troia Project Hospitality

STAFF

Alana Tornello LTRO Coordinator
Nicholas Livigni LTRO Inventory Control Manager
MEMBER ORGANIZATIONS

*Voting Members

1. African Refuge
2. African Services Committee*
3. All Hands Volunteers
4. American Red Cross*
5. Beacon of Hope*
6. Brooklyn Cyclones
7. Building Bridges
8. Calvary Presbyterian
9. Castleton Hill Moravian Church
10. Catholic Charities Community Services, Archdiocese of NY*
11. Cedar Grove Community Hub
12. Christ Church
13. Christian Pentecostal Church
14. Church at the Gateway*
15. Church of St. Andrew’s Soup in the Hood
16. Center for Independence of the Disabled NY*
17. Communities United for Respect and Trust
18. Community Health Action of Staten Island*
19. Davidson Radio
20. Effective Trauma Therapy
21. El Centro del Inmigrante*
22. Feeding Family
23. Friends of Firefighters*
24. Guyon Rescue*
25. Habitat for Humanity
26. Hope Coalition America*
27. HOPE Worldwide*
28. Jewish Board of Family and Children Services
29. Knights of Columbus
30. Lighthouse Church
31. Lutheran Family Health Center
32. Lutheran Social Services NY*
33. Make the Road NY*
34. Meals on Wheels of Staten Island*
35. Mennonite Disaster Service
36. Metropolitan NY Synod-ELCA
37. Midland Avenue Neighborhood Relief*
38. Midland Beach Civic
39. New Dorp Beach Civic
40. New Hope Community Church
41. New York State Nurses Association*
42. NHS of SI Inc
43. NIA Community Services Network
44. Northfield Community LDC*
45. NYC Comptroller*
46. Occupy Sandy*
47. Ocean Breeze Civic Association
48. Old Town Civic*
49. Olivet Presbyterian Church of SI*
50. Olympia Association
51. Port Richmond CERT*
52. Port Richmond Immigrant Association
53. Port Richmond Improvement Association
54. Presbyterian Church of Chatham Township
55. Project Hospitality*
56. Public Resources Inc
57. Richmond Senior Services*
58. RSVP Serve*
59. Salvation Army*
60. Sarapis Foundation*
61. South Beach Civic
62. South Shore Sandy Alliance
63. St Margaret Mary RC Church*
64. STAR America
65. Staten Island Alliance*
66. Staten Island Chamber of Commerce
67. Staten Island Clergy Leadership*
68. Staten Island Council of Churches
69. Staten Island Episcopal Recovery
70. Staten Island Evangelical Association
71. Staten Island Giving Circle
72. Staten Island Help
73. Staten Island Hunger Task Force
74. Staten Island Jewish Community Center*
75. Staten Island Legal Services*
76. Staten Island Liberian Community Association
77. Staten Island Mental Health Society*
78. Staten Island Tool Library
79. Staten Island University Hospital*
80. Stephen Siller Tunnel to Towers Foundation*
81. Travis Civic Association
82. Unitarian Church of SI
83. Urban Outreach
84. Visiting Nurse Service of NY*
85. Wagner Cares*
86. Where to Turn
87. World Cares Center*
88. World Hindu Council
89. Yellow Boots*
90. Zhejiang Chamber of Commerce of America
91. Zone A
WHAT DO SANDY-IMPACTED RESIDENTS ON STATEN ISLAND STILL NEED?

35% of Sandy-impacted residents reached from April to July 2014 had needs remaining from the storm.

Nearly 2 years after Sandy, 709 households told us that they need...

**BUILD IT BACK (BiB) ASSISTANCE**

363 clients in need

- 279 BiB clients expressed concern, confusion, or dissatisfaction (62%)
- 70 BiB clients had no comment (16%)
- 9 BiB clients expressed satisfaction (2%)
- 84 Clients were not registered for BiB (19%)
- 9 Clients would register if BiB was reopened (2%)

**DISASTER CASE MANAGEMENT (DCM)**

557 clients in need

- 477 were referred to a DCM agency for follow up
- 85 accurately identified their DCM
- 17 wrongly identified their DCM
- 45 did not remember or were unsure whether they had a DCM
- 11 requested a new DCM
REBUILD ASSISTANCE
451 homes in need

121 claimed priority needs including:
- nonfunctioning bathroom or kitchen
- foundation issue
- leaks & flooding
- electric & plumbing
- need affecting vulnerable residents (disabled, veterans, older adults, children)

260 claimed secondary needs including:
- basement & garage
- doors & windows
- landscaping & outdoor work
- painting, tiling, & finishing

70 claimed a need but hesitated to share details (waiting for Build it Back, Buyout, DCM consultations, etc).

OTHER NEEDS

- 232 with Financial Service Needs
- 58 with Legal Service Needs
- 45 are Waiting on a Buyout
- 30 Requested Temporary Housing
- 157 Requested Furniture/Household Goods
- 78 Mentions of Mental Health Needs
NEEDS ASSESSMENT OF SANDY IMPACTED RESIDENTS ON STATEN ISLAND
Phone Banking Period: 4/11/14 – 7/31/14
Staten Island Interfaith & Community Long Term Recovery Organization

PURPOSE

To call Sandy impacted residents on Staten Island in order to (1) assess continued needs and (2) make referrals for volunteer rebuild services and disaster case management directly to clients and on their behalf to LTRO members.

VOLUNTEER TRAINING

Volunteers were taught how to answer questions about/make referrals for rebuild needs, disaster case managers (DCM), Build it Back (BiB), and the goals of the Staten Island Long Term Recovery Organization (SI LTRO) and Needs Assessment project. Secure temporary cell phones were provided and waivers were signed to protect client confidentiality.

PHONE BANKING SESSIONS AND PARTNERS

Calls were made and data entered directly into an online form (or on paper scripts later submitted for entry) at weekly and weekend 3 to 5 hour sessions hosted from 4/11/14 to 7/31/14 at spaces provided by the following organizations: All Hands Volunteers, Project Hospitality, Richmond Senior Services’ Sandy Resource Center, RSVP/SERVE, Staten Island Alliance, St. John’s University, and the Tunnel to Towers Foundation. Volunteers were provided for these sessions by the host organizations, with additional volunteer and worker support from NY Cares, World Cares Center, Hope Worldwide, and the Student Youth Employment Program.

CLIENT FOLLOW UP

Data was sorted by need and forwarded weekly to the chairs of the following SI LTRO Committees: “Rebuilding and Mold Remediation,” “Disaster Case Management,” “Volunteer Coordination, Recruitment, and Housing,” and “Policy, Advocacy, and Legal Services.”

Committee Chairs are expected to justly distribute client needs among participating organizations and groups. Clients matched with an LTRO affiliate should expect to be reached by a representative of that supporting entity within two weeks of their initial phone banking assessment.

Clients with rebuild specific needs should expect an assessment on site two weeks after a representative of an LTRO affiliate group has followed up with them by phone (see timeline below for rebuild-specific follow up steps).
DATA SUMMARY

35% of Sandy-impacted residents who answered the survey claimed remaining Sandy needs. (709 households of 2,008 reached.)

Those 2,008 clients reached made up 39% of calls (5,128 total).
47% of total calls (2,389 clients) were referred to DCM and rebuild services via voicemail.¹

Of the 709 clients with remaining Sandy needs:

64% (451 clients) expressed a need for rebuild assistance and/or requested a voluntary rebuild organization to assess the damage in their home.

Of 451 clients designated as having rebuild needs:
• 121 claimed priority rebuild needs, including: nonfunctioning bathroom/kitchen; framing, insulation, & sheetrock; foundation issues; leaks & flooding; demolition; electric, plumbing, & heat; cleanup & gutting.
• 260 claimed second priority rebuild needs, including: basement & garage; doors & windows; stairs; landscaping & outdoor work; powerwash; painting, tiling, & finishing.
• 70 claimed that they had a rebuild need but hesitated to share details, requested to speak directly with a rebuild group, or were waiting on Build it Back/Buyout/DCM consultations.

LTRO Followup: Cases were referred to Rebuild Committee Chairs to distribute among five rebuild groups.
• 90 cases were given to each organization, separated into "1st priority need," "2nd priority need," and "Followup required for more info."
• 118 cases were followed up for further assessment by a rebuild organization.
• The remaining cases were referred to the Volunteer Recruitment, Coordination, and Housing Committee to distribute smaller rebuild needs to tertiary recovery organizations.

78% (557 clients) expressed a Disaster Case Management (DCM) need.

Of the 557 designated as having DCM needs:
• 477 claimed to not have a DCM.
• 17 misidentified their DCM as Build it Back, FEMA, or a rebuild organization.²
• 45 did not remember the name of their DCM/agency, were unsure if they had a DCM, or did not select to provide more details on the DCM agency.
• 11 expressed dissatisfaction with/requested a new DCM.

LTRO Followup: Cases were referred to DCM Committee Chairs for distribution among member agencies through the DCM hotline.
• 237 clients were assigned a DCM.
• 19 were already actively working with a DCM.
• 82 clients declined DCM services, 5 cases were already closed.
• 30 received information or referrals.
• 2 were ineligible.
The remaining 181 clients who could not be reached by DCM agencies attempting follow-up received voicemails containing information on how to reach a DCM agency or are still pending contact.

¹ 711 clients could not be reached because: phone was busy, out of service, or wrong number (333); client hung up (67); client requested a call back (311, of which 40 requested call back because a translator was required).
² Of 160 residents who had a DCM - 85 accurately identified their agency and contacts.
51% (363 clients) expressed a Build it Back (BiB) need.

Of the 363 designated as having BiB Needs:

• 279 registered BiB clients expressed issues exacerbated or caused by lack of communication, delay, inconsistent programmatic information, or unmet promises in their interaction with the Build it Back Program. Clients frequently indicated lack of an assessment visits for months since registration or a prolonged wait on reimbursement notification.
• 84 did not register for BiB.
• 9 identified that they would apply for BiB if registration reopened (3 waited for Buyout, 2 were unaware of the program, 3 would register if conditions changed, 1 had assumed better FEMA coverage).

LTRO Followup: Cases were referred to the LTRO Policy, Advocacy, and Legal Services Committee.

• The data (with anonymous client information) was also sent to representatives from Build it Back, NYC City Hall, and the Comptroller's office (as they carry out their audit of BiB).

Other Needs

• 232 clients requested financial services
• 157 clients requested furniture or household goods
• 58 clients required legal services
• 38 clients identified themselves as renters with Sandy needs
• 45 clients inquired about more information/claimed that they were waiting on Buyouts
• 30 client requested temporary housing while their homes are rebuilt
• 20 clients requested or appeared to require mental health services (among 78 mentions of psychological/emotional strain)
NOTES ON CLIENT NARRATIVE RESPONSE

Clients who still have major and minor rebuild needs—from cracked foundations to stripped basements to landscape cleanups—frequently show confusion, mistrust, and hesitancy to speak with volunteers or receive voluntary rebuild assistance. Some Sandy impacted residents with remaining needs were concerned about sharing information or requesting volunteer rebuild groups behind the back of their DCM, BiB, FEMA, and other agency contacts. The competing timelines of these programs (and lack of communication between them) leaves many clients uncertain of what services to seek or reject.

“I registered three months ago for Build it Back but I have been waiting for an assessment. I’ve waited on making repairs or receiving help until they come. But I have a feeling I'll get nothing, so I’m beginning to think that any help is better than none. But I don’t know if it will hurt me. Other friends are in the same position waiting on Buyouts.”

Suspicion to provide information after repeated contact with other government and grassroots organizations, combined with several long waits and complex registration processes, leave many with a sense of hopelessness or being “lost” in the system.

"Not only did we get slammed by the storm, but slammed by the system. All these charity events with money that went to this and went to that. We don't see where any of it goes."

“I am too disappointed with the system to even ask for help any more. I’ve had too many forms to fill out and too much rejection from potential help to get my hopes up.”

Many clients express a frustration with having rebuilt and refurbished their homes with their own funds but are now having trouble receiving reimbursement from their insurance, government programs, etc. A common confusion was whether a household would qualify for any financial assistance. Many clients were unsure who to speak to about these problems and would benefit from a detailed conversation about their spending with a qualified disaster case manager.

“I had no one to come fix my home so I took $25,000 in home equity and pension loans and did it myself. I definitely can't afford what I've done and now I'm not eligible. It's really just about the money at this point...for quite a lot of people.”

"I am humiliated. Honestly I have a low income...and I provided hundreds of pages of receipts to insurance but I think my low income hurts liability. I am fighting cancer at the same time. I only need your help at this point if it is for financial services. I honestly haven’t known who to talk to about this."

Regardless of common feelings of frustration and confusion even when offered help, there are many cases of gratitude and sense of comfort in knowing that people still care 18 months later:

"It felt like the end of the tunnel without a light for me until you called. But now I'm really going to follow up and maybe I'll make it out of this disaster. You made my day. Nobody cared. They shut the door in your face, and then people like you call and reopen it."
Committee on Recovery and Resiliency
Brad J. Reid, Legislative Counsel
Bill Murray, Policy Analyst
Kate Seely-Kirk, Finance Analyst

THE NEW YORK CITY COUNCIL

Report of the Infrastructure Division
Matthew Gewolb, Legislative Director

COMMITTEE ON RECOVERY AND RESILIENCY
Hon. Mark Treyger, Chair

December 16, 2014

Int. No. 562-2014: By Council Members Treyger, Cabrera, Deutsch, Eugene, Gentile, Koslowitz, Richards and Ulrich

Title: A Local Law in relation to the creation of a Hurricane Sandy community groups and houses of worship recovery task force.

Effect: Adds a new unconsolidated Law
Introduction

On December 16, 2014 the Committee on Recovery and Resiliency, chaired by Council Member Mark Treyger, will hold a hearing on Int. No. 562-2014, in relation to the creation of a Hurricane Sandy community groups and houses of worship recovery task force.

Background

Hurricane Sandy began on October 22, 2012, as a tropical depression cyclone in the southern Caribbean Sea with wind speeds around 40 mph.\(^1\) On October 29\(^{th}\), Hurricane Sandy made a sharp turn to the northwest, on a path toward the coast of New Jersey.\(^2\) The storm gained energy as it interacted with other weather systems, and by approximately 7:30 p.m., Hurricane Sandy’s center made landfall in Brigantine, New Jersey with 80 mph winds. The impacts that Hurricane Sandy had on New York were unprecedented in the city’s history.

While Hurricane Sandy affected communities across New York City, five coastal areas of the city were particularly hard hit: the Brooklyn-Queens Waterfront, the East and South Shores of Staten Island, South Queens, Southern Brooklyn, and Southern Manhattan. These areas, which are home to 686,000 New Yorkers, sustained extensive and long-lasting physical and economic damage.\(^3\) Additionally, the storm and its aftermath highlighted vulnerabilities and

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\(^2\) Id.

gaps in the city’s preparedness and emergency response. In some cases, these gaps were filled by hundreds of civic and charitable organizations and tens of thousands of volunteers.\textsuperscript{4}

**Role of Community Groups and Houses of Worship in Recovery and Resiliency**

In the aftermath of Hurricane Sandy, many community groups and houses of worship exceeded their role as social service providers by supplementing the emergency and recovery operations of city agencies and federal aid workers. There were reports of community groups and houses of worship offering emergency supplies, meals, medical care, and referrals to alternate housing, as well as providing for public safety, and distributing vital information.\textsuperscript{5}

For example, in Red Hook, Brooklyn, power was lost at the New York City Housing Authority’s (NYCHA) Gowanus Houses, leaving residents to face the prospect of going weeks without power, heat, and in some cases, running water. This was particularly worrisome for residents who were elderly and/or had disabilities. In response, community groups based in the Red Hook area, including the Red Hook Initiative, Added Value and the Red Hook Community Justice Center, coordinated a massive volunteer effort. Meanwhile, NYCHA staff worked to make the necessary repairs and to secure generators and temporary boilers to get these buildings back online.\textsuperscript{6}

In another example, St. Gertrude’s Church in Far Rockaway, Queens, was one of many houses of worship that dedicated its facilities and resources to provide needed aid to storm victims after Hurricane Sandy passed. Volunteers used the gymnasium at St. Gertrude’s Church


\textsuperscript{5}Id

to organize local aid efforts, collecting and distributing emergency supplies in one of the hardest
hit areas of the city.7

In some cases, community groups and houses of worship were in the best position to
provide immediate local aid to victims of Hurricane Sandy. These types of organizations
implicitly understood the needs of the communities they serve. They had long-standing
relationships with residents prior to the storm and were able to establish a presence as centers of
aid before federal and city workers could.8 The Special Initiative for Rebuilding and Resiliency
final report notes that “the immediate aftermath of Sandy reinforced the importance of having
community services and facilities in times of crisis.”9

In the months following Hurricane Sandy, community groups and houses of worship also
played a part in the development of New York City’s longer-term, official plan to rebuild a more resilient city. In December of 2012, the city launched the Special Initiative for Rebuilding and Resiliency (SIRR) and charged it with producing a plan to provide protection for the city’s infrastructure, buildings and communities from the impacts of climate change. In the following months, SIRR staff convened five community-based organization “task forces” — one for Southern Brooklyn, one for the Brooklyn-Queens Waterfront, one for Staten Island’s East and South Shores, one for South Queens, and one for Southern Manhattan. Each of these community-based organization task forces consisted of representatives from each particular area’s “faith-based, business and community organizations.” The task forces met with SIRR staff on a regular

8 “Supporting Community-Based Disaster Response: Lessons Learned from Hurricane Sandy (June 2013)”
basis (every 4-6 weeks), and helped SIRR staff to develop specific, localized, priorities with respect to the recovery and resiliency of communities most-affected by Hurricane Sandy.\(^{10}\) The consultation and recommendations of these task forces were incorporated in the SIRR final report, "A Stronger, More Resilient New York."

**Damages to Community Groups and Houses of Worship**

The city’s SIRR final report contains a chapter on “Community and Economic Recovery,” which provides an assessment of the impacts that Hurricane Sandy had on businesses and nonprofits.\(^{11}\) While this assessment does not separate or distinguish between the impacts on businesses versus the impacts on nonprofits – providing only an assessment of these two sectors lumped together – it is still useful for the purpose of getting a sense of the type of damages that were sustained by community organizations and houses of worship due to the hurricane. According to the SIRR final report, 23,000 businesses and nonprofits were located in the areas flooded by Hurricane Sandy. Nearly 95% of these impacted entities were small- and medium-sized (employing 50 or fewer people).\(^{12}\) Tens of thousands of additional businesses and nonprofit organizations located outside of the inundated flooded area lost power and heat. Overall, impacted businesses and nonprofits [such as community organizations and houses of worship] faced extensive damage to the interiors of their spaces, structural damage to their buildings, and damage to their inventory and equipment.\(^{13}\)

Stories on the damages caused to community groups and houses of worship by Hurricane Sandy have been well reported in the media and elsewhere, and they are consistent with the

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\(^{11}\) SIRR final report, “Community and Economic Recovery”

\(^{12}\) Id.

\(^{13}\) Id.
assessment provided by the SIRR final report. For example, in the Rockaway section of Queens, the West End Temple’s interior and supplies were damaged when flooding filled its basement and reached up to four feet on the first floor, and the Temple’s offices and social floor were covered in inches of muck.\textsuperscript{14} In Brooklyn, the Friends of Refugees of Eastern Europe of Brighton Beach, a Lubavitch synagogue and school, was flooded with six feet of water, causing damage to pews, religious texts and other materials.\textsuperscript{15} Police Athletic League (PAL) centers in Staten Island, Coney Island and the Rockaway were severely damaged. PAL programs across these areas were disrupted or closed, for extended periods in some cases, as facilities and supplies including computers, books and toys were destroyed.\textsuperscript{16} \textsuperscript{17} Catholic schools and churches throughout all five boroughs received damage, such as St. Camillus in Rockaway Park and St Virgilius in Broad Channel, which were severely impacted.\textsuperscript{18}

Qualified nonprofits, including community groups, have received assistance in the form of government funding for their recovery efforts. For example, in the wake of Hurricane Sandy, New York City created the Nonprofit Recovery Loan Program.\textsuperscript{19} However, the recovery of houses of worship has been more complicated. Due to federal restrictions, discussed in greater detail in the next section, on providing direct aid to religious institutions, houses of worship damaged by Hurricane Sandy have generally had to rely on other sources of funding and support.

\textsuperscript{15} Id.
\textsuperscript{19} New York City Mayor’s Community Affairs Unit, webpage available at http://www.nyc.gov/html/cau/html/sandy/recovery.shtml
to recover their losses. Some nonprofits\textsuperscript{20} and local fundraising initiatives\textsuperscript{21} were created to fill this need, providing financial and physical support to houses of worship seeking to rebuild.

For the sake of comparison, in the wake of Hurricane Katrina an estimated 900 houses of worship in the Gulf Coast were damaged or destroyed.\textsuperscript{22} In the ensuing months, there was public debate about whether the Federal Emergency Management Agency would or should reimburse faith-based organizations in the affected area for emergency services that they provided during and after the storm.\textsuperscript{23} 24 Ultimately, limits on the aid that government could offer to religious institutions for rebuilding led nonprofits, such as the Bush-Clinton Katrina Fund, to establish substantial recovery funds for houses of worship. The Bush-Clinton Katrina Fund awarded grants to 1,151 houses of worship affected by Hurricane Katrina for rebuilding or repairs.\textsuperscript{25} Two years after Hurricane Katrina hit the Gulf Coast, 313 houses of worship that were damaged in New Orleans were still not in operation.\textsuperscript{26}

\textbf{Houses of Worship and Federal Financial Assistance}

The First Amendment to the Constitution includes the prohibition that “Congress shall make no law respecting an establishment of religion,” most commonly known as the

\textsuperscript{20} American Jewish Committee, “AJC Helps Rebuild Houses of Worship Hit By Hurricane Sandy,” available at http://www.ajc.org/site/apps/nlweb/content3.aspx?c=7oJLSPwFfISG&b=8451911&ct=12745941
\textsuperscript{24} Center for Effective Government, “Early Reports of FEMA Reimbursement Policy Misleading,” available at http://www.foereffectivegov.org/node/2694
\textsuperscript{25} “Faith in the Gulf: Lessons from the Religious Response to Hurricane Katrina”
\textsuperscript{26} Id.
‘Establishment Clause.’ When interpreting this clause in the context of government funding, the Supreme Court of the United States has developed a body of rulings that restrict when government financial assistance can be provided to a religious organization. Although there may be specific variances, the general consideration is to examine how much of a religious or non-religious purpose the money would be supporting. The more secular the purpose, the more likely such government financial assistance would be permissible.

Yet, that does not mean religious organizations cannot receive Federal funding. In fact, the Supreme Court has “consistently rejected... the argument that ‘any program which in some manner aids an institution with a religious affiliation’ automatically violates the Establishment Clause.” It is the purpose of the funds, being secular or religious, and not the identity of the applicant that is determinant. For instance, in the past, the Federal Department of Homeland Security has instituted an annual Nonprofit Security Grant Program (NSGP) to provide “funding support for target hardening and other physical security enhancements and activities to nonprofit organizations that are at high risk of terrorist attack.” Disproportionately, that program’s funding has been allocated to Jewish organizations – with as much as 97% of the funding for 2012 having been so allocated. Yet, as the NSGP description makes clear, that funding was for the secular purpose of protecting high-risk targets and not for a religious use or purpose, so these religious organizations were deemed eligible.

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27 Const. Amend. I. (Note: The well-known phrase “separation of church and state” does not appear in the Constitution and is instead a description of the possible intent and function of the religion clauses, including this one, by Thomas Jefferson and others. Jefferson’s Letter to the Danbury Baptists, Jan 1 1802, found at: http://www.loc.gov/lc/jer/9805/danpre.html )
28 Specifically, the Lemon test from Lemon v. Kurtzman, 403 U.S. 602 (1971) is often used.
Post-disaster related financial assistance is treated similarly. The United States Department of Housing and Urban Development (HUD), which dispenses billions in post-Hurricane Sandy aid to New York City via the Community Development Block Grant-Disaster Recovery (CDBG-DR) program, has elucidated three equal treatment principles for the use of HUD funding by faith-based organizations: 1) an organization is not discriminated against because it is, or is not, a faith-based organization; 2) an organization is not favored because it is, or is not, a faith-based organization; and 3) each non-profit organization, regardless of its size, competes on an equal footing with all other organizations seeking funding. So, the identity of the applicant does not determine eligibility, but the use of HUD funds is restricted to secular purposes. “Organizations that receive direct HUD funds may not engage in inherently religious activities, such as worship, religious instruction, or proselytizing, as a part of the program or services funded by HUD. Inherently religious activities must be offered separately, in time or location, from the programs, activities, or services supported by direct HUD funds.”

Likewise, the Federal Emergency Management Agency (FEMA) provides similar guidance on its website for eligibility for its Public Assistance program. In that guidance it gives several ‘example’ applicants. To illustrate how they approach aid to religious organizations, it may be useful to present that guidance for one of those examples, a Community Church that operates a State certified elementary school, with several buildings used mostly for education (and occasional religious use) and one church building used mostly for religious use (and occasionally secular education). Regarding such an entity’s eligibility, FEMA suggests that the church and education buildings be looked at separately. The “education buildings are eligible
because: a) the school meets FEMA requirements to be considered an eligible education institution; b) the buildings generally are not used for ineligible purposes and their primary purpose is to serve the school; and c) the few religious classes in the curriculum is not sufficient to influence the primary use for secular education. However, in the spaces used for eligible and ineligible purposes, the level of FEMA assistance will be based on the proportion of the total time that such spaces are used for eligible purposes. The church's primary use is an ineligible service under the governing statutes and regulations and its peripheral use by the school is not sufficient to establish its eligibility. ³³ As this example demonstrates, for disaster assistance, it is the purpose of the structure or activity and how predominantly religious or non-religious its use, that determines eligibility.

The United States Small Business Administration does grant physical disaster loans, generally up to $200,000, to charitable and religious organizations but such loans are not always a sufficient solution. ³⁴ Either the amount itself may be insufficient to meet an organization’s needs, there may be difficulty obtaining approval for the loan, or the fact it is a loan, and not a grant, may dissuade some organizations from pursuing it. In 2013, legislation was introduced in Congress which would have authorized the federal government to provide disaster relief in the form of grants to houses of worship. ³⁵ This bill has been passed by the United States House of Representatives, but thus far has failed to pass through the Senate.

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³⁴ Alcorn, Chauncey, ‘Sandy-Ravaged Houses of Worship Seek Aid, But Left in Limbo,’ Gotham Gazette, Oct. 30, 2014,

³⁵ GovTrack.us, Federal Disaster Assistance Nonprofit Fairness Act of 2013 (HR 592), available at https://www.govtrack.us/congress/bills/113/hr592
Summary of Int. No. 562

Int. No. 562 would require, through an unconsolidated law, the formation of a Hurricane Sandy community groups and houses of worship recovery task force. This task force would be required to study the recovery and rebuilding of not-for-profit corporations and houses of worship, in areas affected by Sandy.

The bill requires the task force to consist of eleven members, to be appointed within sixty days of enactment and serve without compensation. Five members would be appointed by the Mayor and five by the Speaker of the Council. The Director of the Office of Recovery and Resiliency would serve ex officio as the eleventh member. At least three of the members are required to be members of clergy who participated in Hurricane Sandy relief work. And, at least three members are required to be individuals with experience with not-for-profit corporations and Hurricane Sandy relief work. At the task force’s first meeting, a chairperson would be selected from among its members by majority vote.

The bill requires that no later than eight months after the effective date, the task force shall submit a report of its findings to the Mayor and the Speaker of the Council. Such report would include, at minimum, a description of the role played by not-for-profit corporations and houses of worship after Hurricane Sandy. It would also include an analysis of the damage and losses suffered by those entities, whether physical or financial, and to what extent those entities have recovered. It would further include a description of possible sources of recovery and rebuilding aid previously or currently available to such entities, as well as an analysis of the extent to which such aid was utilized. Finally, the bill requires that the report include recommendations on how to meet any remaining rebuilding or recovery need, what role, if any,
City agencies might play in facilitating that and how best to prepare and utilize these entities in planning for future natural disasters. Sixty days after the submission of the report, the task force would cease to exist.

**Conclusion**

At this hearing the Committee hopes to receive testimony from the Mayor's Administration, experts, nonprofits, community organizations and city residents about the merits of Int. No. 562, in relation to the creation of a Hurricane Sandy community groups and houses of worship recovery task force. This is the first public hearing that the City Council has held on this piece of legislation.
The Local Law in relation to the creation of a Hurricane Sandy community groups and houses of worship recovery task force.

Be it enacted by the Council as follows:

Section 1. Hurricane Sandy community groups and houses of worship recovery task force. a. There shall be a task force to study the recovery and rebuilding of not-for-profit corporations operating locally and houses of worship in areas of the city affected by Hurricane Sandy, to make specific recommendations to the mayor and council for effective allocation of resources, knowledge, and technical support for such recovery and rebuilding, and how best to prepare and utilize such organizations after future natural disasters.

b. Such task force shall consist of eleven members as follows:

i. Five public members shall be appointed by the mayor, provided that at least one such member shall be a member of the clergy that participated in Hurricane Sandy relief work and one such member shall be an individual with experience with both not-for-profit corporations and Hurricane Sandy relief work;

ii. Five public members shall be appointed by the speaker of the council, provided that at least two such members shall be members of the clergy that participated in Hurricane Sandy relief work and two such members shall be individuals with experience with both not-for-profit corporations and Hurricane Sandy relief work;

iii. The director of the office of recovery and resiliency, or his or her designee, shall serve ex officio;

iv. The public members shall be appointed within sixty days of the enactment of this local law; and
v. At its first meeting, the task force shall select a chairperson from among its members by majority vote of the task force.

c. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment.

d. Members of the task force shall serve without compensation and shall meet as necessary.

e. No later than eight months from the effective date of this local law, the task force shall submit to the mayor and the speaker of the council a report that shall include the findings and recommendations of the task force. Those findings and recommendations shall address, at minimum, the following subjects:

   i. A description of the role played by not-for-profit corporations and houses of worship in the aftermath of Hurricane Sandy and the services provided by them to the community, whether individually or in coordination with other entities;

   ii. An analysis of the damage and loss suffered by not-for-profit corporations and houses of worship by Hurricane Sandy, including damage to physical structures as well as funding losses, and to what extent those damages or losses have been rebuilt or recovered;

   iii. An analysis of possible sources of recovery and rebuilding aid currently or formerly available to not-for-profit corporations and houses of worship as a result of Hurricane Sandy and the extent to which that aid was utilized, as well as a description of the restrictions, if any, on aid programs that prevented their use by not-for-profit corporations or houses of worship;

   iv. Recommendations on how best to meet any existing recovery and rebuilding needs of not-for-profit corporations and houses of worship, as determined by paragraph ii of subdivision e
of this section, including a consideration of when actions should be taken by city agencies to facilitate such rebuilding and what actions might be most beneficial; and

v. Recommendations on how the city could best utilize not-for-profit corporations and houses of worship in the aftermath of future natural disasters and what steps can be taken beforehand to facilitate those efforts, including a consideration of the use of pre-disaster contractual agreements with such entities for the use of their space or resources in future recovery efforts, and what steps can be taken by the city to improve the resiliency of spaces utilized by not-for-profit corporations and houses of worship.

f. The task force shall cease to exist sixty days after the submission of the report required by subdivision e of this local law.

§ 2. This local law shall take effect immediately after its enactment into law.

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