

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF KINGS: HOUSING PART B

CHRISTIAN GRAY,

Petitioner-Tenant,

-against-

AMERICAN PACKAGE COMPANY, INC.,

Respondent-Owner,

THE DEPARTMENT OF HOUSING
PRESERVATION AND DEVELOPMENT,

Respondent.

Index No. HP 6086/2020

**AFFIDAVIT IN OPPOSITION TO
PETITIONER'S MOTION TO
RESTORE**

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

CANDICE KOWALEWSKI, MPH, being duly sworn, hereby deposes and says:

1. I am the former Assistant Director of Environmental Health and Safety Division of ALC Environmental ("ALC").
2. Until 2021, I was employed with ALC Environmental where I worked as a licensed mold assessor. My State of New York Department of Labor License is annexed hereto.
3. On December 8, 2020, Jack Glass, MS, CIH, Edward Olmsted, CIH, CSP of Olmsted Environmental Services, Inc. ("Olmsted"), and I were present in apartment G21 ("Apartment") in the building located and known as 97 Green Street, Brooklyn, New York 11222.

4. On that day, ALC and Olmsted conducted an inspection of the Apartment. After the inspection was completed, ALC and Olmsted agreed on the scope of the mold abatement work necessary for the Apartment, which was attached as Exhibit A to the stipulation of settlement filed in this proceeding. See [NYSCEF Document No. 10](#).

5. On July 20, 2021, Olmstead, ServPro, and I were present to conduct an initial inspection of the work area containment in the Apartment prior to the remediation work being commenced. Additionally, Olmstead and I provided ServPro with the scope of work and the job was bid based on the scope of work provided.

6. From July 20, 2021 through July 27, 2021, ServPro conducted the remediation work with the prescribed scope of work. On each of these days, an employee of ALC and I were present to observe ServPro activities. Olmstead was not present on any of these days.

7. On July 27, 2021, ServPro completed the remediation work.

8. On July 28, 2021, I completed a Post Remediation inspection. On this day, Olmstead was not present.

9. On August 3, 2021, I prepared a Post Remediation Verification Report. See a copy of the August 3, 2021 Post Remediation Verification Report annexed hereto as **Exhibit A**.

10. The Post Remediation Verification Report was made in the regular course of ALC's business activities, as I understand. To the best of my knowledge, it is the regular course of ALC's business to make and keep such a record. I am personally familiar with the Post Remediation Verification Report and its contents for the Apartment, including the photographs annexed thereto, which I took on July 28, 2021 and are true

and accurate depictions of how the Apartment looked after the remediation work was completed, subsequent to July 27, 2021.

11. In summary, the Post Remediation Verification Report establishes that on July 27, 2021 ServPro completed the scope of work. No deficiencies or irregularities related to the scope of work were observed in the Apartment at the time of my July 28, 2021 inspection.

12. Accordingly, based on my professional experience, personal knowledge, and test results included in the ALC Post Remediation Report, it is my expert opinion that the Respondent-Owner met the requirements of the scope of work.

Candice A. Kowalewski
CANDICE KOWALEWSKI, MPH

Sworn to before me this
8 day of July, 2022

[Signature]
Notary Public

NILDA GUZMAN
Notary Public, State of New York
No. 01GU6135862
Qualified in Westchester County
Commission Expires OCT 24, 2025

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

Summary: Experienced in completing Environmental Indoor Air Quality and Moisture Assessments. Comprehensive knowledge of engineering controls and determining potential contaminant emission sources. Investigate using ventilation testing equipment and special measuring devices of airborne concentrations of dust, gases, and mists. Data Collection, Data Management, and Technical Writing. Develop and implement site specific health and safety plans for health hazard control procedures in accordance to OSHA and EPA regulations.

RELEVANT WORK EXPERIENCE

Assistant Director of EHS Division

ALC Environmental - New York, NY

May 2018 to October 2021

Provided Environmental Health Science (EHS) compliance support to a diverse client base, primarily for high-end residential and commercial facilities. Communicated directly with clients, stakeholders, and regulatory agencies.

Program Manager for Moisture Intrusion Assessments in residential homes, commercial offices, educational institutions, and public buildings in accordance of Local Law 61 in New York City in response to Client requests and HPD violations. Completed Moisture Intrusion Assessments, Remediation Site Plans, and Post Remediation Verifications (PRVs) for Clients. I prepared pre-engagement proposals, and organized professional staff to complete assessments, peer reviewed reports, and prepared invoices. Provided ongoing educational support to team members.

Project Manager for Indoor Air Quality Assessments in residential homes, commercial offices, educational institutions, and public buildings. Indoor Air Quality Assessments commonly included identifying and testing for microbial growth, assessing ventilation systems, monitoring for volatile organic compounds (VOCs), sewer gas or investigating odors. Tested for LEED (Green Building Certification). Provided remediation plans as necessary.

Program Manager for Annual Tier II (SARA 312) Filing for Right-To-Know (RTK) of reporting hazardous materials for commercial clients in New York City. Hired, trained, scheduled staff to complete field visits and file inventories with NYC DEP. Prepared invoices and maintained client relationships.

Assistant Program Manager for annual Water Management and Maintenance of Cooling Towers in accordance of Local Law 77 of New York City. Hired, trained, scheduled staff to complete field visits to provide weekly testing of Cooling Towers including Legionella sampling. Represented

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

clients for court hearings to resolve violations administered by the Department of Health in response Local Law 77.

Earned MTA Track Safety Training, EPA RRP, OSHA 10, and maintained licenses for EPA/NYS Asbestos Inspector and NYC Mold Assessor license. ABGIH Board Certified for CIH Exam.

Additional work completed:

- EHS New Employee Orientation
- Ergonomic Training, Program Writing, and Assessments
- COVID-19 Support to Property Management and Commercial Clients
- HazCom/Chemical Hygiene Plan Writing
- Personal Protective Equipment (PPE) Training
- Product Safety/MSDS for NYC Community Right-To-Know Training
- Respiratory Protection Training and Fit Testing for Employees and Clients
- Facilitated Quarterly Division Meetings
- Delivered Tool Box Talks

Industrial Hygienist and Environmental Consultant

Atlantic Environmental, Inc. - Dover, NJ

December 2014 to June 2018

Collected and evaluated data through performing indoor air quality site inspections, environmental consulting tasks, industrial hygiene surveys, and some asbestos work (research for expert witness, learning more about its history, health effects, and how to identify and sample). My day to day work life typically involved literature research, preparing reports, traveling to clients, and ergonomic assessments.

Environmental consulting for clients performing Indoor Air quality Assessments and Industrial Hygiene surveys traveling nationally to complete site visits. Often sampled for detection of chemicals and workplace hazards, provided training, evaluated data, conducted literature research, and prepared reports of findings. Performed 100's of Industrial Hygiene surveys including sampling of airborne concentration of dusts, gases, and mists, noise dosimetry and sound level readings to determine compliance with OSHA, NIOSH/CDC, and ACGIH. Octave band analysis to support engineering control design. Monitored regulations and standards of good practice in protecting the health of workers in occupational settings in foundries, manufacturing, warehouses, chemical production, laboratories, construction, and metal fabrication. Asbestos work included researching the history and health effects for expert witness court hearings; as well as identifying assumed asbestos, and bulk sampling. Provided respiratory protection training, fit testing (qualitative and quantitative) for employees and Industrial Hygiene Clients. Wrote 100's

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

respiratory protection plans for commercial clients in accordance with NIOSH and OSHA Standards.

Topics of surveys included:

- Blood Borne Pathogens
- Chemical Specific, HazCom/Chemical Hygiene Plan
- Compressed Gases
- Confined Space
- Electrical Safety/Lock Out Tag Out
- Ergonomic Training, Program Writing, and Assessments
- Excavations
- Hot Work Permit
- Lab Orientation, Mgr./Supervisor Orientation
- Personal Protective Equipment (PPE)
- Product Safety/MSDS
- Radiation Safety
- RCRA Hazardous Waste
- Respiratory Protection
- Spill Kit
- Indoor Air Quality Survey (HVAC) (August, 2015)
- Noise Survey (Dallas, TX) (August, 2015)
- Indoor Air Quality and Mold Survey (August, 2015)
- Heat Stress Monitoring (July, 2015)
- Sewer Gas Survey (HVAC, H₂S, CH₄, VOC, smoke tubes) (July, 2015)
- Odor Survey from Asbestos removal project (July, 2015)
- Research: Asbestos (June, 2015)
- Carbon Dioxide and Carbon Monoxide Survey (June, 2015)
- Indoor Air Quality Survey (HVAC) (June, 2015)
- Air Sampling for Furniture Off-Gassing Chemicals (Formaldehyde) (June, 2015)
- Literature Search (May, 2015)
- Industrial Hygiene (Hexavalent Chromium Sampling) (May, 2015)
- Quantitative Fit Testing (May, 2015)
- Qualitative Fit Testing (May, 2015)
- Industrial Hygiene Sampling (Chemicals of process treatment) & Testing of Supplied Air (April, 2015)
- VOC sampling via Summa Canisters (Daycare) (April, 2015)
- Literature Search (April, 2015)
- Formaldehyde (Daycare) sampling (April, 2015)

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

- Industrial Hygiene (graphite dust) and Noise Survey (April, 2015)
- Industrial Hygiene (Paint Shop, Welding, Diesel) and Noise Survey (April, 2015)
- IAQ and Ventilation survey (April, 2015)
- IAQ and Odor Detection Survey (March, 2015)
- Quantitative Fit Testing (March, 2015)
- IAQ –Chemicals in Humidification system (March, 2015)
- Industrial Hygiene and Ergonomics Survey (March, 2015)
- IAQ survey, Ventilation, Anderson N6 sampling (March, 2015)
- Asbestos Bulk Sampling (March, 2015)
- IAQ Survey, Sampling for Isocyanates, Summa Canister Sampling (February, 2015)
- Ventilation Balancing (February, 2015)
- Industrial Hygiene (Sampling for Carbon Black Dust) (February, 2015)
- Noise, Carbon Monoxide, and Confined Space Assessment (February, 2015)
- Industrial Hygiene Survey (Paint Solvents, Paint Particulates) (February, 2015)
- Asbestos Bulk Sampling (February, 2015)
- Asbestos Air Sampling (January, 2015)
- IAQ, Formaldehyde, and Odor Survey (January, 2015)
- IAQ, tape lifts, and Mold Sampling (January, 2015)
- Explosibility Test (Tantalum, Titanium, Aluminum, Tungston, Nickel, Moly bdenum) (January, 2015)
- Literature Search (January, 2015)
- IAQ, Particulate Sampling, and Gas Detection (December, 2014)
- Asbestos Air Sampling (December, 2014)
- IAQ and Mold Sampling (December, 2014)
- IAQ and Odor Detection (Sewer Gas) (December, 2014)

Emergency Response:

Emergency Response included these significant events:

- Evacuation of Lower Manhattan after the terror attacks of the World Trade Center on September 11, 2001 with New York Fast Ferry
- Project Management of overseeing and deployment of inspectors to complete air and surface sampling for the threat of asbestos exposure following the Steam-pipe explosion in Chelsea area (5th Avenue area between 21st-25th Streets) of Manhattan in August 2018 with ALC Environmental:
<https://www.nytimes.com/2018/07/19/nyregion/steam-explosion-pipe-flatiron-nyc.html>
- Project Management of assessing the impact of the historic flooding for Residential and Commercial buildings in NYC in September of 2021.

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

- Project Management of Emergency Responses of many Chemical Spill or Odors. Site visits often included air sampling utilizing direct read instruments such as PID or laboratory cleaned SUMMA Canisters for tracing and identifying chemicals responsible for spills. Occasionally subcontracted drillers for soil sampling.
- Project Management of Post Fire Assessments for many inspections for residential and commercial clients. Site Visits often included sampling for Combustion Bi Products (Soot, Char, and Ash) and thorough inspection of HVAC ventilation systems. Occasionally subcontracted videographers for camera/IR inspections.

EDUCATION

M.P.H. in Environmental Health Sciences & Industrial Hygiene

New York Medical College - Valhalla, NY

2011 to 2013

B.A. in Psychology

Rutgers University School of Arts and Sciences - New Brunswick, NJ

2007 to 2009

A.A. in Psychology

Brookdale Community College - Lincroft, NJ

2005 to 2007

GRADUATE EXPERIENCE

Capstone 2013

New York Medical College - Valhalla, NY

January 2013 to May 2013

Particulate Matter 2.5: Health Risks and Control of Exposure in Ambient Air. Professors: Dr. Morton Lippmann, NYU, Dr. Shakarjian, and Dr. Vetrano

My **Capstone** topic was Health Risks and Control of Exposure to PM_{2.5} in Ambient Air that our group presented to stakeholders and the community at New York Medical College in May 2013. My group sorted through the culmination of research about bioaerosols, black carbon, transitional and heavy metals, regulation and future implications; whereas I focused on major and individual source controls and global differences. Global differences: Only the US EPA air quality index, the London COMEAP air quality index, and the Hong Kong air pollution index appear to have individual health protection. As of 2013 Ahwaz, Iran ranked first for worst air quality represented by annual mean concentration of fine particulate matter (PM₁₀ and PM_{2.5})

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

Deliverables submitted: Literature review, fact sheet, webinar, pamphlet, and presentation.

GRADUATE EXPERIENCE

Practicum and Volunteer

Monmouth County Health Department - Freehold, NJ

July 2011 to May 2013

Analysis of public knowledge of Lyme disease. Site Supervisor: Michael Meddis, MPH Public Health Coordinator for Monmouth County, NJ (732-431-7456)

My **practicum** was completed through the Monmouth County Health Department (June 2012 to June 2013) to analyze cases and collaborate with local health departments for their Lyme disease program. Completed a Lyme disease survey and compiled data to act as a springboard for a public and professional campaign to lower incidence rates in Monmouth County, NJ. I researched peer-reviewed and Journal articles via PubMed, Web of Science, NIH, CDC, and other relevant databases in order to define Lyme disease as a current public health community level problem.

Utilizing the statistical software program, EPI INFO 7, to analyze results, several meaningful averages showed trends such as:

- Majority of respondents reported being students and retirees. Over half of the cases reported enjoying activities spent outside such as gardening and working outdoors; and owning pets
- Respondents on average rated their knowledge as average prior to diagnosis versus after, and over half said doctors did not give provide information or resources to learn prevention of Lyme disease such as looking for a red circular expanding rash, site of tick bite, or landscape modification suggestions.

Subsequently, I volunteered during the summer of 2013 to design a health education program as well as guide the Monmouth County Mosquito Commission towards gaining insight of public knowledge about ticks.

Deliverables submitted: Literature review, report, poster, and presentation Designed and proposed a Lyme disease health program.

UNDERGRADUATE EXPERIENCE

Elected Senior Class Representative

Rutgers School of Environmental and Biological Sciences - New Brunswick, NJ

September 2008 to May 2009

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

Legislative Affairs Committee

Research Assistant

Dr. John R. Aiello, Social and Organizational Psychology - Piscataway, NJ

January 2008 to December 2008

Actively engaged in library research, read and discussed relevant articles involving restorative effects of the environment. Communicated ideas for future research, wrote weekly executive summaries, and maintained a daily journal. Assisted in data collection, entry, and coding for a social facilitation study. Final 30 page paper analyzing Modern versus Traditional Advertising.

SKILLS

- Project Management (8 years)
- Technical Writing (10+ years)
- Laboratory Experience (4 years)
- Leadership
- Statistics (10+ years)
- Quality Assurance (4 years)
- Management (5 years)
- Program Management (3 years)
- QuickBooks/Ajera (4 years)
- Manufacturing
- Warehouse experience
- Data analysis skills
- Root cause analysis
- Microsoft Excel
- Microsoft Word
- Microsoft PowerPoint
- Microsoft Office
- Business development
- OSHA
- Construction
- Supervising experience
- EHS
- Administrative experience
- Project / program management
- Case management
- First aid
- Identity & access management
- Contracts
- Process improvement
- Data science
- Continuous improvement
- Machine learning
- Fundraising
- Computer skills Links

AWARDS

Delta Omega

July 2020

Delta Omega Honorary Society in Public Health awarded through New York Medical College.

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

CERTIFICATIONS AND LICENSES**Asbestos Inspector License**

May 2015 to Present

EPA and NYC Asbestos Inspector License

NYC Mold Assessor

July 2018 to Present

NYC and NYS Certified Mold Assessor

PROFESSIONAL GROUPS**NJAIHA**

June 2014 to Present

Member, Local Section of National American Hygiene Association. Attended monthly dinner meetings and annual conferences.

Director of Member Services and Outreach Coordinator

NJAIHA - Scotch Plains, NJ

June 2016 to Present

Served the Executive Membership Board as Director of Membership Services and Outreach Coordinator, term of 3 years, re-elected. Volunteer position to welcome new members and present scholarships. Visited high schools and colleges to provide industrial hygiene information to students.

AIHA

November 2018 to Present

Member, National Membership of American Hygiene Association.

ASSP

February 2020 to Present

Member, National membership of American Society of Safety Professionals.

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

TRAINING CERTIFICATES

- How to Manage Indoor Air Quality Amid COVID-19 (ASSP 2022)
- OPSEC Awareness for Military Members, DoD Employees and Contractors (DOD 2021)
- Level 1 Antiterrorism (DOD 2021)
- Board Certification Eligible for Certified Industrial Hygiene (2019)
- OSHA 10 Construction (2018)
- Big Apple Occupational Safety (BAOS) NY Asbestos Inspector Training (2015-2016)
- Humantech: Applied and Industrial Ergonomics Training Course (April 2016)
- Humantech: Managing an Ergonomics Process Workshop (April 2016)
- Lonza's Contractor Safety Orientation Training (March 2015-2016)
- Quantitative Respirator Fit Test (January 2015)
- Health Effects Attributed to Mold (August, 2015) (EMLab P & K)
- Analytical Testing for Fire and Smoke Damage Investigations (June 2015) (EMSL)
- Human Environmental Pathogens (June 2015) (EMSL)
- How to Improve Energy Efficiency In a Compressed Air System (May 2015)
- What you Really Need to Know about GHS—Best Practices for Navigating the MSDS to SDS Transition (May 2015)
- Fungal Data Interpretation (February 2015) (EMLab P&K)
- Strategies for Mold Investigations and Sampling (January 2015) (EMLab P & K)
- Comprehensive Legionella (November 2014) (EMSL)

RELEVANT COURSES

SCIENCE COURSES:

NEW YORK MEDICAL COLLEGE: Environmental Studies, Environment and Health in Society, Environmental Influences and Human Health, Air Pollution, Pollution and Waste Management, Industrial Hygiene, Public Health and Water Quality, Fundamentals in Toxicology, Exposure Assessment and

Monitoring Metrics, and Environmental and Occupational Science

RUTGERS: Human Ecology

BROOKDALE: Environmental Science

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

STATISTICS COURSES:

NEW YORK MEDICAL COLLEGE: Biostatistics, and Epidemiology

RUTGERS: Population Resources and Environment, and Research Methods

BROOKDALE: Statistics, and Computer Literacy

CHEMISTRY COURSES:

COUSERA (ONLINE): Chemistry & Health, Intro to Chemistry, and Advanced Chemistry

HEALTH AND SAFETY COURSES:

NEW YORK MEDICAL COLLEGE: FEMA Emergency Management, and Safety Engineering
& Occupational Health

Candice Kowalewski, MPH

50 Beechwood Avenue, Keansburg, NJ 07734

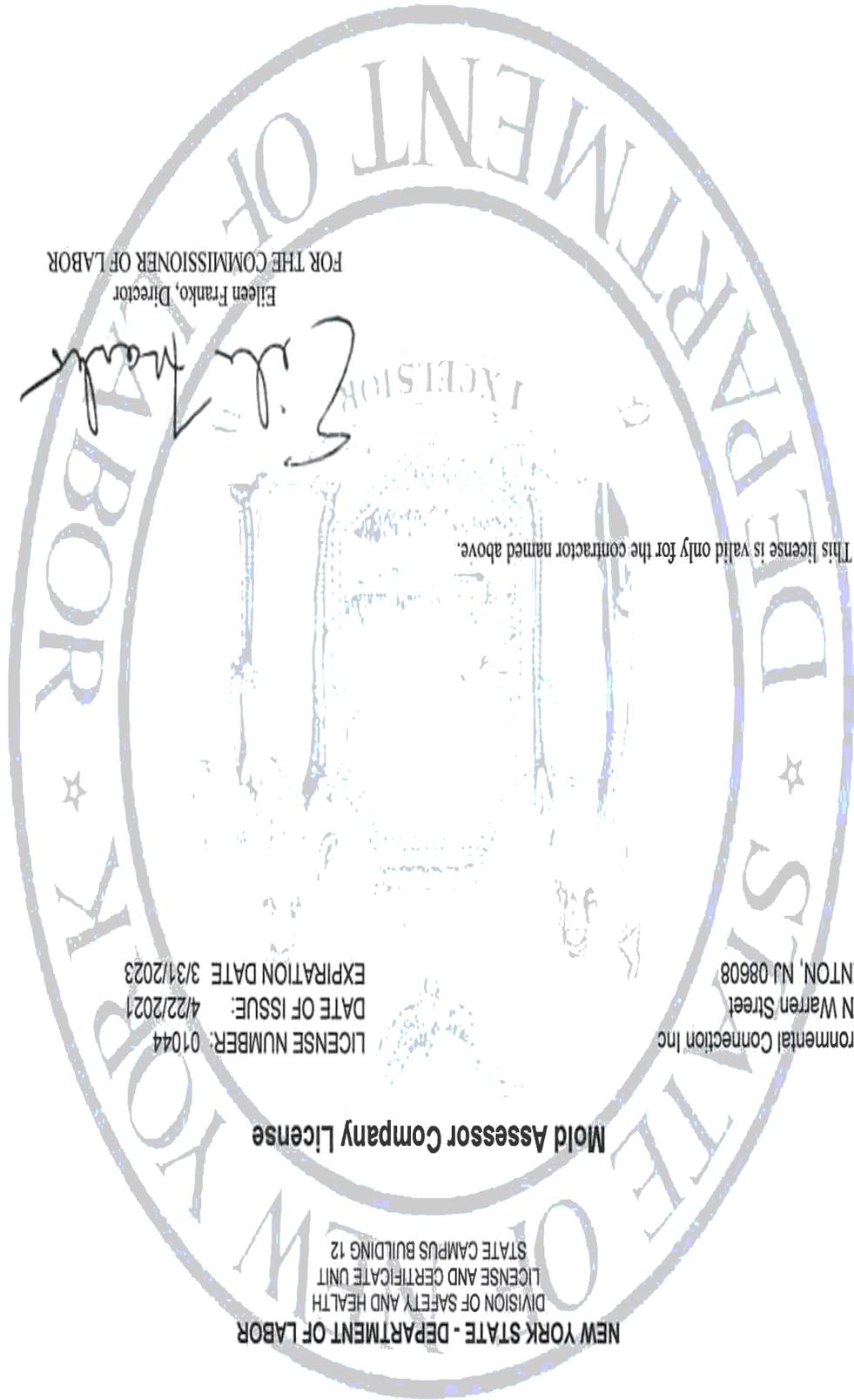
908-675-1827 · CaKowalewski@Gmail.com

Linkedin.com/in/candicekowalewski

INDUSTRIAL HYGIENE COURSES:

Attended the NJAIHA 12-week review course for Industrial Hygiene. Henry Shotwell, CIH, has been my mentor and served as the secretary to NJAIHA till 2021

	Courses:	Instructor:
June 3, 2014	IH History & OSH Act Review	Tim Rice
	Community Exposures	Bob Hague
June 10, 2014	IH Management	Gary Schwartz
	Industrial Processes	Ken Bickerton
June 17, 2014	Epidemiology / Biostatistics	Jack Glass
June 24, 2014	Basic Science	Peter Harnett
July 1, 2014	Thermal Stress	John Trela
	Biosafety	Barbara Owen
July 8, 2014	Noise	Ben Mueller / Joe Keefe
July 15, 2014	Non-Engineering Controls (PPE)	John Trela
July 22, 2014	Ionizing Radiation	Michael Vala
	Non-Ionizing Radiation	Spencer Pizzani
July 29, 2014	Risk Analysis	Barry Weissman
	Hazard Communication	Barry Weissman
August 5, 2014	Toxicology	Hank Shotwell
August 12, 2014	Air Sampling	Bob Adams
	Ergonomics	Rick Lynch
August 19, 2014	Engineering Controls (Ventilation)	Gail Becker



FOR THE COMMISSIONER OF LABOR
 Eileen Franko, Director

E. Franko

This license is valid only for the contractor named above.

LICENSE NUMBER: 01044
 DATE OF ISSUE: 4/22/2021
 EXPIRATION DATE: 3/31/2023

Environmental Connection Inc
 120 N Warren Street
 TRENTON, NJ 08608

Mold Assessor Company License

NEW YORK STATE - DEPARTMENT OF LABOR
 DIVISION OF SAFETY AND HEALTH
 LICENSE AND CERTIFICATE UNIT
 STATE CAMPUS BUILDING 12

