



THE CITY OF NEW YORK
COMMUNITY BOARD 9
MANHATTAN

Morningside Heights
Manhattanville
Hamilton Heights
Sugar Hill

3291 Broadway, New York, NY 10031

May 18th, 2023

Hon. Adolfo Carrión, Jr.
Commissioner
Housing Preservation &
Development
100 Gold Street, 5th Floor
New York NY, 10038

Dear Commissioner Carrion Jr.,

At its regularly scheduled General Board Meeting held remotely and in-person, on Thursday, May 18th, 2023. Manhattan Community Board No. 9 passed the following resolution re: **May 2023 Addendum to May 2017 reso re: TIL Program** by unanimous consent with 31 members present.

WHEREAS at its regularly-scheduled General Board Meeting held on May 18, 2017, Manhattan Community Board 9 approved the attached Resolution re: HPD Halting Transfer of TIL Buildings and Maintaining a Moratorium ("the 2017 Resolution") by a vote of 27 in favor, 0 opposed, 1 abstention, and 1 present not entitled; and

WHEREAS the 2017 Resolution called on the Department of Housing Preservation and Development (HPD) to cease transfer of buildings that were in or had been in the Tenant Interim Lease (TIL) Program to the Affordable Neighborhood Cooperative Program (ANCP); and

WHEREAS there are approximately 22 TIL buildings remaining in Manhattan Community District 9; and

WHEREAS on April 20, 2023, The Tenant Interim Lease Coalition and P.A.'L.A.N.T.E. Harlem held a town hall at the Lt. Joseph P. Kennedy Center at 34 W 134th Street for TIL tenants that saw over 400 attendees, who shared their stories of being promised for many years that their buildings would be renovated by the City, many of whom were also displaced from their buildings for many years; and

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WHEREAS ANCP involves the transfer of the buildings out of City ownership and into the ownership of third-party developers, who would then borrow money secured by the building to make necessary renovations and repairs before potential transfer of ownership to the tenants, who would then bear the burden of repaying the money borrowed by the developers; and

WHEREAS since 2017, the City has continued to transfer buildings out of the TIL Program and into ANCP, often against the wishes of the TIL tenants, with the result that many of the buildings that have emerged from ANCP have higher monthly maintenance costs or did not convert to HDFC cooperative ownership at all; and

WHEREAS Manhattan Community Board 9 continues to demand that the City honor the agreement it made with the tenants of these City-owned buildings where, in exchange for the tenants giving up their rent regulated leases and agreeing to manage the building through a Tenants Association without compensation, tenants were promised the opportunity to purchase their apartments for \$250 an apartment; and

WHEREAS the Fiscal Year 2024 (FY24) City budget currently being negotiated between the City Council and the Mayor does not include a capital budget line item for renovations through the TIL Program, and instead only includes a capital budget line item for ANCP, which is unacceptable to MCB9 and the residents of TIL buildings that have been waiting for decades (in some cases more than 30 years);

THEREFORE BE IT RESOLVED that Manhattan Community Board 9 urges the City Council and the Mayor to include at least \$100 million in FY24 dedicated capital funds for renovations of TIL buildings to be conducted without debt financing; and

THEREFORE BE IT FURTHER RESOLVED that Manhattan Community Board 9 urges the City to finally uphold its promise to TIL tenants to allow them to purchase their apartments for \$250 and to own their buildings as HDFC cooperatives not burdened by heavy debt loads.

If you have any questions and/or further information, please do not hesitate contacting me and/or District Manager Eutha Prince at the board office (212) 864-6200.

Sincerely,



Barry Weinberg
Chair

cc: Hon. Eric Adams, Mayor

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Hon. Brad Lander, NYC Comptroller

Hon. Mark Levine, Manhattan Borough President

Hon. Cordell Cleare, New York State Senate

Hon. Daniel J. O'Donnell, Assembly Member

Hon. Inez Dickens, Assembly Member

Hon. Al Taylor, Assembly Member

Hon. Shaun Abreu, City Council Member

Hon. Kristin Richardson-Jordan, City Council Member

Hon. Charles Schumer, United State Senator

Hon. Kirsten Gillibrand, United States Senator

Hon. Jerrold Nadler, Member of Congress

Hon. Adriano Espaillat, Member of Congress

Mr. Zead Ramadan, Executive Director, West Harlem Development Corporation



**THE CITY OF NEW YORK
COMMUNITY BOARD 9
MANHATTAN**

Morningside Heights
Manhattanville
Hamilton Heights

16-18 Old Broadway
New York, NY 10027
Phone: (212) 864-6200
Fax: (212) 662-7396

May 20, 2022

Hon. Eric Adams

Mayor
City Hall
New York, New York 10007

Hon. Kathy Hochul

Governor
NYS State Capitol Building
Albany, N.Y. 12224

Hon. Adrienne Adams

Speaker
NYC Council
250 Broadway
New York, New York 10007

Hon. Carl E. Heastie

Speaker
State Assembly
LOB 932
Albany, N.Y. 12248

Reso re: Amendment to State Open Meetings Law Authorizing Hybrid Meetings

Dear Electeds,

At its regularly scheduled General Board Meeting held remotely on Thursday, May 19th, 2022 Manhattan Community Board No. 9 passed the following Reso re: Amendment to State Open Meetings Law by a vote of 29 in favor, 0 opposed, and 3 abstentions:

WHEREAS the COVID-19 pandemic continues to take its toll on our community in West Harlem and New York City, even as vaccination rates and improved care have lessened the death rates and the burden on our hospitals; and

WHEREAS on April 8th, 2022, the New York State Legislature passed A9006C/S8006C, and on April 9th, Governor Kathy Hochul signed the bill, which included amendments to Section 103 of the New York Public Officers Law (also known as “the Open Meetings Law”) which allows videoconferencing by public bodies-- including Manhattan Community Board 9 (also known as “CB9” or “Manhattan CB9”)-- “to conduct its meetings pursuant to the requirements of this article provided that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend...”; and

WHEREAS conducting such “hybrid” on-line and in-person meetings requires the local body, in this case Manhattan Community Board 9, have “adopted a resolution...following a public hearing, authorizing the use of videoconferencing”; and

THEREFORE BE IT FURTHER RESOLVED that Manhattan Community Board 9 shall endeavor to comply with all relevant aspects of the Open Meetings Law in its conduct of hybrid meetings, including but not limited to:

- 1) by securing physical locations open to the public for attendance by CB9 Members and members of the public;
- 2) by requiring members of CB9 be physically present at any such meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting;
- 3) by requiring members of CB9 attending remotely or virtually to be able to be heard, seen, and identified, while the meeting is being conducted, including, but not limited to any motions, proposals, resolutions, or any other matter formally discussed or voted upon; and
- 4) by including in public notices of CB9 meetings a notice that videoconferencing will be used and where and how the public can view and/or participate in such a meeting, where required documents and records will be posted or available, and identify the physical location where the public can attend; and

THEREFORE BE IT FURTHER RESOLVED that Manhattan Community Board 9 hereby determines that the COVID-19 pandemic interferes with Manhattan Community Board 9's ability to meet in-person, and authorizes its Chair, or in the event of documented incapacitation of its Chair, its First Vice Chair, to call either virtual meetings or hybrid meetings as the Chair or First Vice Chair deems appropriate; and

THEREFORE BE IT FURTHER RESOLVED that Manhattan Community Board 9 authorizes its Chair, or in the event of documented incapacitation of its Chair, its First Vice Chair, to make a determination that in the event of a declared state or city disaster emergency, said disaster emergency impedes Manhattan Community Board 9's ability to meet in-person and thus permits and requires Manhattan Community Board 9 and all its committees, subcommittees, and task forces to conduct entirely virtual meetings in compliance with the relevant portions of the New York State Open Meetings Law; and

THEREFORE BE IT FURTHER RESOLVED that Manhattan Community Board 9 will continue to adopt rules and regulations around the format of hybrid and virtual meetings, including any necessary amendments to the By-Laws of Community Board No. 9 Manhattan, but at this time, in the interest of establishing in-person quorum for hybrid meetings required by A9006C/S8006C strongly encourages any CB9 Members seeking to attend a hybrid meeting virtually to submit a request for virtual accommodation with the reason for the virtual accommodation:

- 1) for General Board Meetings to the Chair, the Second Vice Chair, the Secretary, the Assistant Secretary, and the District Manager, and for committee, subcommittee; and
- 2) for task force meetings to the relevant committee or body's Chair or Co-Chairs and the District Manager; and