



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Jamie Rogers, Board Chair

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Committee on Governmental Operations

Support for Intro 1182-2016

Community Board 3 supports legislation that will prevent the loss of city properties due to lifting of deed restrictions without public notice or input. The deed restriction process for Rivington House lacked transparency, and the lack of community notification and input caused great harm to the community. When VillageCare first alerted CB 3 of the proposed sale of the skilled nursing home for AIDS patients, there was no mention of the deed. When the proposed sale became public, I was informed about the deed restriction from a community member involved in work with AIDS patients—the CB was never formally informed of the restriction by the owner or administration. I mention this to highlight the need for public notice and input. VillageCare did not acknowledge the deed's existence in the beginning of the sale discussion. We did not know for two years that this was because of their attempt to have the deed restriction lifted. This points to the need for the searchable databased proposed in the new legislation and supported by CB 3 in a resolution May, 2016 and attached. When an important community property is proposed for any land disposition, we should be able to research all files for the property as it is not always in the interests of the owner to disclose information.

The Rivington House deed restriction hearing was published one day in the City Record—this is not notice. There is no community board that has the resources to thoroughly read the City Record every day. The Community Board knew there was a deed restriction for both nonprofit ownership and in perpetuity nursing home facility and knew the owner would request a waiver of the nonprofit provision. However, there was complete lack of transparency as to the implementation of action to lift the restriction for both aspects of the deed restriction. There was such lack of transparency that until we read the FOILED material in the media a year later, we had no idea there had been a conscious decision by the administration to lift both provisions.

CB 3 supports notification of elected officials and the community board. The notice of the public hearing should be at least 45 days and preferably 60 days prior to the public hearing to ensure that the community board can schedule and post the agenda item for public committee hearing and receive input from the public to inform a community board vote prior to the public hearing.

CB 3 further supports the requirement that the notice of the hearing be sent to the elected officials and community board and that the hearing be held within the community district to allow for input from the impacted community. Community Board 3 supports and appreciates the City Council's legislation to prevent further lack of transparency in removing deed restriction on city properties and former city properties.