



CITY OF NEW YORK  
**MANHATTAN COMMUNITY BOARD FOUR**

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**LOWELL D. KERN**  
Chair

**JESSE R. BODINE**  
District Manager

January 15, 2021

Hon. Bill de Blasio  
Mayor, City of New York  
City Hall  
New York, New York 10007

Hon. Scott Stringer  
NYC Comptroller  
Municipal Building, Room 517  
1 Center Street  
New York, NY 10007

Hon. Corey Johnson  
Speaker, City Council  
224 West 30th Street  
Suite 1206  
New York, NY 10001

Hon. Gale A. Brewer  
Manhattan Borough President  
Municipal Building, 19th Floor  
1 Center Street  
New York, NY 10007

Richard A. Carranza  
Chancellor  
Department of Education  
52 Chambers Street  
New York NY, 10007

Lorraine Grillo  
President and CEO  
School Construction Authority  
30-30 Thomson Ave., Long Island City NY,  
11101

Karin Goldmark  
Deputy Chancellor  
Department of Education  
52 Chambers Street  
New York NY, 10007

**Re: Stalled School Capital Projects Related to SCA Lease Renewal Policy**

Dear Mayor de Blasio, Comptroller Stringer, Manhattan Borough President Brewer,  
Chancellor Carranza, President Grillo, and Deputy Chancellor Goldmark,

On the unanimous recommendation of its Arts, Culture, Education, and Street Life Committee (ACES), following a presentation from the leadership of the High School for Environmental Sciences, located at 444 West 56<sup>th</sup> Street, Manhattan Community Board 4 (MCB4), at its regularly scheduled meeting on January 6, 2021, voted, by a vote of 40 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible to vote, to request a joint meeting with representatives from each of your offices in January to address two pressing, related issues:

- (1) The significant facilities-related disadvantage faced by students and school personnel in DOE schools located in leased buildings compared to their counterparts in City-owned school buildings; and
- (2) The stalled capital improvements and related challenges for more than 4 years at the High School for Environmental Sciences (HSES), located at 444 West 56<sup>th</sup> St in Manhattan.

Background:

Capital improvements in schools using RESO A funding can only be executed if the improvements have a minimum 5-year lifespan, per City Charter guidelines. If a school is located in a leased building, and the lease is due to expire in less than 5 years, then the School Construction Authority (SCA) will not execute any capital improvements, even when fully funded (citing the City Charter rules). In effect, there is a ban on all capital improvements to schools in leased buildings for the last 5 years of each lease.

The SCA is the City agency tasked with negotiating and finalizing any and all leases for schools. The SCA has not made available to schools and Borough Presidents a comprehensive list of all schools in leased buildings and the end date of said leases, so capital improvement requests and funding decisions are being made in a vacuum without critical data.

For example, HSES (together with ReStart Academy and Independence High School) is located in a building that is leased, not owned, by the City. The lease for the property is due to expire in August, 2023. In January 2017, HSES applied for FY18 RESO A funds to upgrade its deteriorating gym bleachers. The school's application was granted, but HSES never received the new bleachers. Instead, in October, 2018, the SCA responded to an inquiry from HSES and explained that since the funding wouldn't have been received within the 5-year window from the end of the lease, the project was on hold. To be clear, the RESO A funding was approved more than 6 years before the end of the school's lease, but the SCA still said the project couldn't be accomplished since the funding lag time put the project in the 5-year window. Effectively, capital improvements at schools are banned for 6 years before a lease expires, not 5. If the school and the Borough President's office had been aware of the lease expiration date, they could have planned ahead and allocated money 7 years before the lease expiration date, and not wasted all of the time and effort on the FY18 RESO A funds.

HSES also applied in 2018 through the Citywide Council of High Schools (CCHS) capital funding process for money to fix its rooftop, to fix leaks and to prepare for a green roof to promote sustainability (part of the school's mission). The funding was approved, but in 2019, the SCA said the project was put "on hold" pending lease approval. Several months later, the school was told that the rooftop project was dropped. The roof continues to leak.

HSES and other schools located in buildings leased by the City are significantly disadvantaged for 6 years while they are unable to secure funding for capital improvements. At the same time, they are discouraged from advocating for speedier lease renewals. The SCA's policy is that leases are not negotiated more than 2 years out from their termination (which is still many months away for HSES). MCB4 appreciates that lease negotiations are delicate and shouldn't be rushed. At the same time, we believe strongly that students shouldn't have malfunctioning bleachers and a leaky roof for all four years of their high

school simply because they attend school in a building that is leased instead of owned by the City. The City can – and must – do better.

Requests:

As stated above, we request a joint meeting in January with representatives from your offices who are familiar with the City Charter, RESO A funding rules, DOE facilities issues and SCA policies, to discuss the above-referenced issues, including the following questions:

- (1) Who will take the lead on creative problem-solving for HSES and other similarly-situated schools (who have capital improvement needs but are in buildings that are leased instead of owned by the City)?
- (2) Who can help ensure that the long-delayed improvements at HSES are taken off of “hold” and are started immediately?
- (3) Can the SCA make available a database to schools, the public and elected officials that shows which schools are in leased buildings and when the leases expire?
- (4) What is the process for applying for an exemption/exception/waiver of the City Charter rules regarding 5-year lifespan for capital improvements?
- (5) Is there a different way that money could be allocated to schools in leased buildings so that capital improvements could be done even when leases expire in less than 5 years?
- (6) What are the realistic chances that HSES’ lease might be renewed more than 2 years before its expiration date?
- (7) Can the SCA revise its policy such that leases can be renewed more than two years before their expiration dates?
- (8) What are the realistic chances that the building where HSES is located might be purchased by the City so that it has a permanent home in our District?

MCB4 supports the High School for Environmental Studies staying in its current location, which is in our district. We also strongly believe that the school should be allowed to improve its facilities to the benefit of all students and should not be constrained from doing so for 6 years at a time due to lease renewal issues. We look forward to resolving these inequities with your assistance.

Sincerely,



Lowell D. Kern  
Chair  
Community Board 4



Allen Oster  
Co-Chair  
ACES Committee



Kit Tollerson  
Co-Chair  
ACES Committee

CC: High School for Environmental Sciences  
Community Education Council District 2  
Vivian Orlen, Manhattan High Schools Superintendent, NYC DOE  
Marisol Rosales, Executive Superintendent, NYC DOE