

The Park West Tenant

Vol. 34, No. 9

The Newsletter of the Park West Village Tenants' Association info@pwvta.org

October 2009

J-51 Ruling Upheld for Tenants

The state Court of Appeals ruled October 22 that the owners of Peter Cooper Village and Stuyvesant Town apartment complexes had improperly raised rents on thousands of tenants, and may force the current owner, Tishman Speyer Properties and BlackRock Realty, and the prior landlord, Metropolitan Life, to pay tenants millions of dollars for damages and rent overcharges.

The court ruled that the landlords had improperly raised rents beyond set levels on some 4,000 apartment while collecting city tax breaks to make renovations. It upheld a March 5 decision by the Appellate Division of the State Supreme Court that could impact the owners of other rent-stabilized apartments.

The owners wanted to replace rent-stabilized tenants with renters paying higher market rates, but the ruling could now lead to foreclosure, and should be resolved soon by the courts and government agencies.

The PWVTA Legal Committee will meet and advise on our best course of action.

97th Street – Whole Foods Safety Plans

We all have varied experiences with the new pedestrian and vehicular traffic patterns on West 97th Street since the opening of Whole Foods.

Prior to the opening of the store, Whole Foods had numerous discussions with community stakeholders and through this developed a Safety Plan for Receiving at their dock on West 97th Street. The Safety Plan includes:
CONTROLLING THE FLOW OF TRUCKS DELIVERING:

- Get big trucks (18-wheelers) to deliver at off-hours (before school children arrive, or in the early evening)
- Schedule delivery times with vendors so the flow of traffic is even throughout the day
- Schedule delivery times so that there are only small vans or no deliveries in peak time when school children are walking in

97 STREET PLANS continued on Page 2

784, 788, 792 Columbus Ave buildings: *DHCR GRANTS LOBBY MCI, BUT TENANTS WIN MAJOR REDUCTION*

By orders dated 10/13/09, rent-stabilized tenants at 784, 788 and 792 Columbus Avenue received orders from the DHCR which granted a much reduced MCI increase for lobby alterations.

The owner had applied in May for an MCI increase for lobby alterations in these buildings, claiming costs of approximately \$320,000 in each of the three buildings.

PWVTA, through its attorneys, submitted a brief in opposition to the application, and the DHCR ruled that approximately 75% of the claimed costs were disallowed because the work was not deemed to be an MCI.

The result is a monthly rent increase of \$1.48 per room, collectible beginning with the Nov 1 rental bill. The number of rooms in your apartment will be listed on your notice.

There will also be an arrearage listed on rental bills, because the landlord is permitted this increase from the date of its application through the Nov 1 bill. For each apartment, the total arrearage would be 1.48 times # of rooms times 6 months. This amount may be billed over several months because the landlord cannot charge arrearages in any one month in excess of 6% of your monthly rent.

The owner will likely file an appeal. Our attorney is determining whether we should appeal as well. If we appeal, the arrearages do not have to be paid until the appeal is over.

In any event, tenants must pay the rent increase which will likely appear on the Nov 1 bill.

100th Street NOW!

Imagine the traffic in the next year... and more!



the area: 7:30 am to 9:00 am; and 2:45 pm to 4:00 pm

- Truck routes will be planned to best minimize traffic and noise
- Receiving bay garage doors will be closed and secured except during the actual delivery activity

RECEIVING TEAM:

- Designated Whole Foods Market Team Members will be present to stop traffic and pedestrians when trucks are backing-in
- Team Members directing traffic will wear identifiable clothing (orange vests)

SIGNAGE:

- Display boards will be placed on sidewalks at all times of vehicular activities on either side of the receiving bay noting CAUTION: MOVING VEHICLES
- Signage will be installed DRIVERS EXERCISE EXTREME CAUTION SCHOOL CHILDREN PRESENT IN AREA

Since the opening of Whole Foods we have heard from the community about issues with the deliveries to the store. PWVTA welcomes comments and documentation of problems with this new traffic pattern.

It is important to compile this information on incidents in order to seek solutions. Please send your reports to complaints@pwvta.org

Crane Partially Collapses October 8

CB7 District Manager Penny Ryan reported that a 15-foot section of the sidewalk shed at the northeast corner of Columbus Avenue at 97th Street was irreparably damaged at 2:15pm on October 8.

A mobile crane was coming down and being demobilized for the evening. As it approached the ground the boom accidentally hit into the sidewalk shed at the street level. There was minimal damage and no injuries.

A Stop Work Order was issued, and the Crane Unit inspectors moved the crane out of its current location to inspect for damage. Scaffold Safety team inspectors inspected the shed. The crane was removed, and the sidewalk shed repaired on October 9.

Report by Borough President Scott Stringer and Councilmember Melissa Mark-Viverito page 3

GOTHAM AND ITS GARBAGE:

What It Was, What It Is, and What It Might Become

ROBIN NAGLE

Anthropologist-in-Residence for the New York Department of Sanitation (DSNY)

with DSNY Staff

Tuesday, November 17 6 pm

Bloomington Library, 150 West 100th Street

(between Columbus and Amsterdam Avenues)

Second Floor – Elevator Accessible

All Welcome! Free Event!

Robin Nagle teaches anthropology and urban studies at NYU and runs the Draper Interdisciplinary Master’s Program.

She is working with colleagues at the DSNY and NYU to found the New York City Museum of Sanitation. Her book, *Picking Up*, will be out next year from Farrar, Straus & Giroux.

Fifth in Our Series:

The History of the City’s Services

Park West Neighborhood History Group

Columbus-Amsterdam Business Improvement District

For further information: 212-666-9774

HEAT AND HOT WATER NOW

Heat season in New York City has begun. The law requires the landlord to provide heat at the following levels from October 1 through May 31:

From 6 am to 10 pm: If the outside temperature falls below 55 degrees, the inside temperature must be at least 68 degrees everywhere in your apartment.

From 10 pm to 6 am: If the outside temperature falls below 40 degrees, the inside temperature must be at least 55 degrees everywhere in your apartment.

Hot water at a minimum 120 degrees at the tap must be provided 24 hours a day, year round.

If you are not being provided adequate heat or hot water, please see the Met Council fact sheet on how to restore service: <http://metcouncil.net/factsheets/heathotwater.htm>

From MetCouncil.net – October 3, 2009.

Statement from City Council Member Melissa Mark-Viverito and Manhattan Borough President Scott Stringer on the crane accident at 97th and Columbus:

Earlier today [October 8], we learned of a crane accident in Park West Village. Our offices remained in constant communication with the Department of Buildings (DOB) as developments came in on the accident. We also communicated with the Office of Emergency Management, who was coordinating with DOB and the city Fire Department.

The DOB stated that as the crane was being demobilized at the end of the work day, it accidentally hit the sidewalk shed, causing some minimal damage, but no injuries. A stop work order was issued shortly after the accident by the DOB. The DOB also sent its Crane Unit inspectors to move the crane and inspect the area for damage, while the Department's Scaffold Safety team inspected the shed.

Both of their offices will continue to monitor this situation very closely to ensure that the DOB takes the appropriate steps following this accident to protect the residents of Park West Village and the surrounding community. To that end, we will request that the DOB issue an open, transparent report to the public regarding today's accident, which should outline the cause of the accident and the steps they will take to prevent a similar incident's reoccurrence.

With the history of construction-related accidents at Park West Village, the Department must continue engaging with the residents and the surrounding community to reassure them that they are taking all necessary steps to address today's crane accident, and avoid future construction safety issues.

Council Member Melissa Mark-Viverito will continue to work closely with DOB to ensure that they do. People can call her office at 212-788-6960 for further information, or write mviverito@council.nyc.gov.

Borough President Scott Stringer can be reached at 212-669-8300 or by email at BP@manhattanbp.org.

Will You Be My Neighbor?

While our "family" may be somewhat larger, living in an apartment building is similar to living in our own home. Nevertheless, our responsibility to respect our family of neighbors and ourselves remains the same.

To this end, PWVTA would like to remind all tenants of the importance of placing garbage completely down the chute in compactor rooms. Refuse that exceeds the dimensions of the chute should be properly sealed in heavy-duty garbage bags and taken to the basement or directly out to a dumpster in the parking lot.

Please remember that garbage in the compactor rooms is a breeding ground for roaches, water bugs, insects, mice and rats.

Many tenants in the three Columbus Avenue buildings complain to management about the presence of vermin in their apartments and in public spaces. But please remember, as close residents and neighbors, we all play a role in the cleanliness of our buildings.

This is your home and mine. Please help too!



WE ARE CLEAN NEIGHBORS?



IT'S UP TO ALL OF US



NOW!

PWV Flea Market

Sunday, October 25

11am-4pm

behind The Vaux -

372 CPW

Stop by! Look!! Shop!!!

LOTS OF GOOD STUFF

FREE TOO! ALL WELCOME!

784 COLUMBUS AVE BUILDING REPS AND FLOOR CAPTAINS MET SEPT 29

Plans were made to get a good start on the annual PWVTA membership drive for new members and renewals.

Also discussed: a Holiday Lobby Tenants Party at the end of 2009 or beginning of the New Year 2010.

792 Columbus Avenue BUILDING MEETING

LOBBY Thursday, Oct 29 7PM

Election of Building Reps and Alternates

Please bring your chair!

New Plan Presented October 21

Executive Board members and invitees for the new coalition of neighborhood groups heard the presentation of a plan to meet the challenge of the threatened land swap between JHL (Jewish Home Lifecare) and the Chetrit Group.

Dr. Virginia Pepe, Principal of PS 163, delineated a plan to benefit stakeholders in and around Park West Village. It would relieve overcrowding in PS 163, preserve in perpetuity new greenspaces, fulfill the intent of neighborhood rezoning to limit the height of new development, and allow JHL to redevelop in a manner acceptable to the community.

The plan upgrades and integrates the public school, library and health service facility at no cost to the taxpayer, and finally creates new green buildings that will use less energy and water.

Officials foresee extensive further discussion and planning before anything definite can be done.

The PWVTA Executive Board regularly meets on the third Tuesday of the month, except July and August (see PWVTA.org for info).

The next meeting will be held Tuesday, November 17, 7:30 pm. Door opens 7:00pm for cookies & community at the Ryan Health Center, 110 W. 97th Street, downstairs. PWVTA members are welcome to attend.

Produced by the PWVTA Communications Committee.

Contributors: Win Armstrong, Sue Brisk, Albina De Meio, Clare Dockery, Dean Heitner, Pat Loftman, Daphne Myers, Eileen S, Chuck Tice, and Palmer Tome. To help report, edit, compose, design, or distribute, call the PWVTA Hotline: 212-662-2610, or write Commo@pwvta.org. Submit content articles to: Editor@pwvta.org.

JOIN YOUR NEIGHBORS - RENEW NOW!

PLEASE RETURN THIS MEMBERSHIP / ASSOCIATE MEMBERSHIP COUPON TO YOUR BUILDING REPRESENTATIVE OR MAIL TO:

Park West Village Tenants' Association
P.O. Box 20339, Park West Finance Station, New York, NY 10025-0339

Name: Building: Apt: Phone:

Rent-stabilized tenant Market-rate tenant Renting from private owner Owner Email:

Check for 2009 membership dues enclosed, **payable to PWVTA** \$40 Other*: \$

Check for 2009 associate membership dues enclosed, **payable to PWVTA** \$35

Check includes additional contribution to Legal fund. Amount: Check for MCI Legal Fund only:

☆ If you cannot make full \$40 payment of your annual dues, please pay what you can.

Your membership card will be delivered to you.