

Berkeley Grapevine

March, 2019

Volume 73

BOARD NOTES FROM THE MEETING HELD ON FEBRUARY 26, 2019

Ms. Eckhardt served as chair and called the meeting to order at 7:00 p.m.

1. The Board reviewed, and approved as written, the minutes of the January 22, 2019 meeting of the Board of Directors of Berkowners Inc.
2. The Admissions Committee has interviews scheduled with the prospective purchasers of B-31 (35) and B-36 (77). (Both prospective purchasers were approved)
3. Ms. Eckhardt reported that a new newsletter is being prepared. It will include information on; Milton and Humberto's retirement, hiring of a new superintendent, formation of a new social club, retaining of new attorneys, package delivery protocols, and the garden committee's upcoming 1st meeting of the year.
4. Mr. Koch reports that he is soliciting proposals for asbestos testing in the gym area. He has also identified several architectural firms and is in the process of sending requests for proposals.
5. Ms. Prevost reported that Apt. 53 (35), which is owned by the Co-op, is nearing completion. Once completed, it will be offered for rental.
6. Ms. Eckhardt reported that a committee of the Board had interviewed several candidates for the Superintendent position. After a general discussion the committee recommended, and the Board approved, offering the position to Carlos Rivera. Mr. Rivera will be offered 3 weeks' vacation, in addition to the standard union benefits. The other candidates will be considered for the assistant superintendent position. (See article below.)
7. It was noted that the owner of the dog that defecated in the 78th Street lobby by the "B" side elevator (the owner did not clean up after the dog) has been identified by viewing the digital media system in Milton's office. A letter is being sent to the Shareholder, imposing a fine for violations of the house rules.
8. Mr. Leahy reported on the Cooperative's cash and cash reserves.
9. In light of Mr. Leahy's resignation from the Board, at the conclusion of tonight's meeting, the Board unanimously elected Eric Koch to serve as treasurer.
10. Ms. Eckhardt reported on the formation of a new Berkeley Social Club. (See article below)
11. The Board agreed to remove Ed Schiff, Feiga Milshtein, and Eric Zuckerman, of Smith Grambrel, & Russell LLP as assistant secretaries of the Corporation.
12. By motion duly made and seconded the Board elected Randee Feldman, of Novitt, Sahr & Snow LLP as assistant secretary. (See article below re our new counsel.)
13. Ms. Eckhardt reported that she had revised Berkeley's purchase application to reflect the retaining of Novitt Sahr & Snow LLP as the Cooperative's transfer agent.
14. Ms. Prevost stated that she would like to revisit creating a rooftop garden in each building. The Board deferred action pending obtaining costs for a window replacement project.

15. The Board unanimously approved a 1.5% increase in maintenance effective April 1. A letter will be sent to the shareholders in March. (See article below)

16. The Board previously scheduled its' next regular meeting for March 19, 2019.

There being no further business to come before the Board, Ms. Eckhardt accepted a motion to adjourn at 8:35 p.m.

End of Board Notes

OTHER NEWS ITEMS

MAINTENANCE INCREASE

Last year, after the rejection of the flip tax in 2017, the Board decided that it would be prudent to cover inflationary increases through a modest annual increase in maintenance fees rather than deferring increases only to be put in the position of having to dramatically increase maintenance fees and/or leveling extraordinary assessments in the future. Effective April 1, 2019 the maintenance fee will increase 1.5%. The Beautification Assessment of \$.01 per share per month remains in effect. A letter will be sent to shareholders in March.

ANNUAL SHAREHOLDERS' MEETING

The 2019 Annual Meeting will take place on Tuesday, May 14th. **This year the meeting will begin at 7:00 PM rather than 6:30 PM as it did last year.** Registration will commence at 5:00 PM as before.

Three of the seven board positions will end their terms on that date and thus will be open for election. These Board positions are currently held by Anne Eckhardt, Walter Chadwick (who is finishing Edward Leahy's term) and Pia Prevost. The corporation is seeking candidates to fill these positions. Responsibilities include regular attendance at the monthly board meetings and volunteering to act as liaison to at least one of the board sponsored committees.

We cannot lightly dismiss the time required. The work involves dealing with current issues as well as planning for the future of the corporation. This will demand a certain portion of one's time, but with the help of the volunteer committees, this can be kept to a minimum.

Shareholders who wish to run for the board may submit their resumes or letters of intent either by e-mail to rysanekone@msn.com or by post to Terrence Dineen 77-12 35th Avenue, Apt. B42, Jackson Heights, NY 11372. The deadline for receiving these is Friday, March 29th.

As a number of apartments have changed ownership in the last few years, the Quorum/Election Committee wishes to give a brief history for shareholders new to the Berkeley.

From 1984 to 2007 no annual meeting was successful in achieving a quorum. A quorum occurs when the minimum number of shares required are registered. That minimum is fifty percent of the outstanding shares plus one share. Without a quorum, an election cannot be held, and the Board is not required to discuss any business with the shareholders. For each of those years, since elections could not be held, the open Board positions were filled when the remaining Board members appointed people to the positions rather than any candidates being directly elected by the shareholders.

In 2008, after great effort on the part of many committed shareholders, a quorum was achieved, and an election occurred. At each annual meeting from 2008 to 2018 (with the exceptions of 2014, 2016 and 2018) quorums were achieved and elections held. The Board and its volunteers

hope that all shareholders will either attend this year's meeting or submit a Proxy form if unable to attend so that an election may take place.

In order to facilitate the achievement of a quorum, the Proxy form functions in two ways. Besides the standard form wherein one may appoint another attending shareholder to register shares and vote in one's stead, there is an additional section wherein a shareholder may simply register their shares in advance of the meeting. **This action does not give 'power of attorney' to anyone else.** It merely pre-registers your shares with the intent of achieving a quorum. Your election ballot will be given to you at the meeting. Should you not attend, **no one will vote in your stead.** but your shares will have been registered for quorum purposes. The Proxy forms will be mailed in April. They will also be posted on the Berkeley website for downloading and will be available at the mailboxes. They are simple to fill out and can be given to any board member; the committee chair, Mr. Dineen (see mailing address above) or to the Superintendent.

Please note that this year as in the last, Wavecrest Management Team will be more involved in conducting shareholder registration and quorum determination.

There will be more to follow about the Annual Meeting in the April newsletter.

Volunteers are needed to help with shareholder registration on the evening of the event. Past volunteers have said they found it a good way to meet their neighbors. If you wish to volunteer or should you have any questions about the meeting or the election, please contact Mr. Dineen at either of the above addresses.

RETIREMENTS



Humberto retired on January 31st. However, he will be on the premises until March 31st. Please wish him well and thank him for his service when you see him. We wish Humberto and Blanca all the best in their retirement years.



MILTON IS RETIRING!!!!

Yes, Milton will be retiring. However, he has graciously agreed to stay on board until the new super is trained. We are going to miss him enormously. For so many years, he has been an important part of our community. Milton is always there when you need him. Always willing to go above and beyond. The Board wishes him well and hopes he and Carmen have a very long and happy retirement. They deserve the best.

The Board

A retirement party is in the works and will most likely happen on a Friday in May.

NEW SUPERINTENDENT



With the help of Wavecrest, the Board interviewed the best three candidates who responded to our job ad for a superintendent and assistant superintendent. The Board unanimously agreed that Carlos Rivera (and, yes, that is Milton's son) was the best candidate for the position; Carlos accepted the position as Superintendent for the Berkeley, and we are excited to welcome him to our community. He will be starting with us on or about April 8th. A summary of his qualifications follows:

- ✓ An experienced commercial, industrial and residential building superintendent with mechanical, carpentry and electrical experience
- ✓ Ability to oversee multiple projects simultaneously with various work crews
- ✓ A team leader with hands-on experience using tools and machinery necessary to complete the task on time
- ✓ Detail-oriented with problem-solving abilities, knowledge of building codes and OSHA requirements
- ✓ Directed 6 porters to respond to emergency calls relating to building maintenance
- ✓ Coordinated projects with the management company and board of directors
- ✓ Twenty-six years' experience as a superintendent. The last 14 years have been with Birchwood Court Owners Inc., which is a 6 building, 444 family Cooperative, located in Mineola, NY
- ✓ He was an on-site porter for Berkowners Inc. from 1988 to 1991

The Board has identified two possible assistant superintendents and is waiting for Carlos to have an opportunity to interview the applicants prior to making a job offer.

NEW GENERAL COUNSEL

The Board has hired a new legal firm to represent us effective March 1, 2019. Contact details are as follows:

Seth Sahr, Esq.
Novitt, Sahr & Snow
118-35 Queens Boulevard, Suite 1515
Forest Hills, NY 11375
718-544-8665
ssahr@nssesq.com

The Purchase Application has been revised and uploaded to the documents page on the co-op's website.

APARTMENT RENOVATION REMINDER

The Board has been made aware that work is being done in several apartments and the residents have not completed either the renovation short- or long-form. Wavecrest must be informed of **ALL** planned work and the extent of the work involved. This is covered under House Rules #10 and 11 which state:

Renovations, Repairs, Maintenance, and Deliveries

10. All renovations may be made only after the Shareholder has submitted to the Board of Directors a completed Renovation Application and only after said Application had been approved by the Board. Only after approval of the Board of Directors may contractors hired

for repair and maintenance and/or renovation be permitted access to the buildings. Approval shall not be unreasonably withheld or delayed.

11. No construction, repair work or other installation involving noise shall be conducted in an apartment except on weekdays (other than legal holidays), and only between the hours of 8:30 AM and 5:00 PM. (Please refer to the Renovation Application for detailed information regarding outside contractors.)

These rules are in effect of protecting the residents of the Berkeley. There are hefty fines for violating these rules:

Renovations – Without prior approval of the Board of Directors in violation of Proprietary Lease. See House Rules #10 (\$5,000) and #11 (\$1,000).

Please refer to the House Rules at the following link on our website:

<https://www.theberkeleycoop.com/copy-2-of-documents>

The renovation forms can be found at the following link on our website:

<https://www.theberkeleycoop.com/copy-3-of-documents>

CAPITAL IMPROVEMENT INITIATIVES

Fitness Facility

The Task Force has been meeting weekly for since January 27, 2019. At the request of the Board, the Task Force has reviewed other available basement spaces in all three buildings and has reconfirmed that the old athletic complex in the 78th Street Building is the best location for the proposed fitness center. The Task Force has issued a request for proposals for the environmental assessment of the old athletic facility, the next step in the Task Force's feasibility study. While the Task Force is coordinating its search for an architect for the project with the search being conducted by the Windows Replacement Task Force (see below), the Task Force has also identified a group of architects who specialize in the design of multi-family project fitness centers, and will be meeting with one of these architects the weekend of March 10th. The prior week, the Task Force met with another non-architectural design firm. As a reminder, the mandate for the Task Force is to determine the feasibility of creating a fitness center which would be funded entirely by residents using the facility.

Window Replacement

A three-member Task Force, consisting of two Board Members and one non-Board shareholder was formed last fall and after the holidays, resumed its efforts in January has been meeting weekly since January 28, 2019. All three of our buildings are in a designated historic district requiring the approval of the NY Landmarks Preservation Commission for any windows replacement project. The Task Force has recently completed a search of potential architects and has identified a number of architects who have experience in window replacement projects in landmark buildings and in historic districts and is currently drafting a formal request for proposals which the Task Force plans to complete and issue within the next 2 weeks. The Task Force has been exploring various window manufactures in preparation for subsequent exploration with the architects which the Task Force will be interviewing. The goal is to identify the top three potential candidates which the Board would interview and make the decision to engage. The Task Force has also been reviewing publicly available information on the approval process for window replacements in the City's historic districts and will be attending a NY Landmarks Preservation Commission presentation in Jackson Heights this month on the permitting process and financial assistance available to historic properties.

PACKAGE DELIVERIES

Both UPS and FedEx have made an arrangement with the United States Postal Service (USPS) to complete many of their deliveries. USPS does not deliver the packages to the apartment door. Instead, they leave the packages at the mailbox stations. Many times, the mailbox stations are stacked with packages that have not yet been picked up by the addressee. This can make it very difficult to access the mailboxes. Another issue that has happened quite often is the packages are delivered to the wrong side of the building. If you are expecting a package, please pick it up ASAP; and, if you receive a message saying your package was delivered, and it is not at your mailbox area, please check the other side of the building. Think of it as a scavenger hunt!!!

THE BERKELEY SOCIAL CLUB



The Berkeley has a new club – The Berkeley Social Club!! This club was established by Marina Pomeroy and Stacey Zaretsky. The Club's purpose is to provide a venue and opportunity for Berkeley residents to gather and socialize. "BerkSocials" will be held on the last Friday of every month. If the Friday happens to fall on a holiday, the co-chairs may designate another date for the monthly meeting. BerkSocials are held in the Berkeley Community Room from 7:00 – 10:00 PM. See our website page for more information at <https://www.theberkeleycoop.com/berkeley-social-club>

A pilot "BerkSocial" event was launched to a small group of Berkeley residents to see what kind of turnout/interest they would get. The first BerkSocial was held on Friday, February 22nd. It was a lot of fun. We played Bingo, poker, scrabble, and backgammon.

Games Available – Quantity in "()"

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| ✓ Bingo | ✓ Spinner Dominoes (1) | ✓ Uno (1) |
| ✓ Cards (2) | ✓ Mexican Train | ✓ Backgammon (1) |
| ✓ Scrabble (1) | Dominoes (1) | ✓ Sequence (1) |

Attendees should bring their own beverages, snacks, and any board game they would like to play with fellow residents. The co-chairs will provide popcorn and tea!! The next BerkSocial is scheduled for Friday, March 29th. We hope to see you there!!

Marina and Stacey

2019 GARDENING SEASON IS NOW OPEN

HOW TO ADOPT A GARDEN PLOT/ALCOVE

Our first meeting for the 2019 gardening season was held on March 3rd at 4:00 PM. The Garden Committee has scheduled a work day on March 24th at 11:00 AM. The next Garden Committee meeting is scheduled for Sunday, April 7th at 4:00 PM in the Community Room in the 77th Street basement. Visit the Garden Committee's web page for more information at <https://www.theberkeleycoop.com/garden-committee-clvxp>.

If you are interested in gardening, there are plots available; or, if you'd just like to help maintain a plot (weeding, cutting back plants, etc.), there are gardeners who would welcome the help. Please contact Katherine or Kayhan at the email addresses listed below for further information.

The Garden Committee has a policy for those who are interested in adopting and maintaining a garden plot as follows:

1. Contact one of the garden co-chairs to request a plot. The co-chairs are Katherine Howard: howfelice@gmail.com or Kayhan Irani: kayhan@artivista.org.
2. If there is no plot available you will be put on a first come, first served waiting list and contacted when a plot becomes available.
3. If a plot is available, you will be asked to attend at least one garden meeting. Meetings are held monthly on Sundays at 4 PM.
4. If you adopt an ongoing plot, we ask that you begin by adopting and caring for the current plantings, make changes gradually and attempt to find homes for unwanted plants.
5. Gardeners buy their own plants for individual plots. They also do a lot of exchanging of cuttings and plants amongst each other.
6. We follow the basic garden rules as established by the board.
7. The Board provides support for the things we cannot do on our own such as yearly tree pruning, or the recent sodding of the North Lawn.

CHILDREN'S CIRCLE

The next Children's Circle will take place on Saturday, March 16, 2019, at 11 AM in the 77th Street Meeting Room. All children must be accompanied by an adult. Look for notices on bulletin boards near mailboxes and in laundry rooms. All Berkeley children are invited to join us for:

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| ✿ Stories and Reading | ✿ Scarf play |
| ✿ Musical Game Play | ✿ Crafts - winter and snow theme |
| ✿ Music and Musical Instruments | ✿ Snacks |

The complete schedule for the year is on the Berkeley website using the following link: <https://www.theberkeleycoop.com/copy-of-activities> Please contact Peg Russell at 347-813-4842 or tpeg60@yahoo.com if you have questions.

Bertine had an opportunity to visit the Children's Circle last month, and this is what she had to say:

LAISSEZ ROULER LES BONNS TEMPS

A fun time was had by all who attended the Children's Circle Mardi Gras celebration. Parents and children listened to stories, sang songs, had a Mardi Gras parade, did crafts, and enjoyed refreshments crowned by a special Kings Cake, a special Mardi Gras treat!!! Watch for the next Children's Circle, hosted by Miss Peggy, and have your children enjoy another fun event.

SCHEDULED BOARD MEETINGS

The dates of the next Board meetings are the Tuesdays of March 19, April 30 and May 14 (Annual Shareholders' Meeting). All the meetings begin at 7:00 PM. Between 6:30–7:00 PM, all shareholders/tenants may come to the Boardroom in the basement of the 77th Street Building to discuss issues with a Board member. The Board asks that you send an email in advance (**berkboard@gmail.com**) to let it know the nature of your issue and that you be succinct in your presentation. If you are not a resident of 77th Street, you may contact the Board at the above email address to gain entrance.

Contributors to this issue were Terrence Dineen, Anne Eckhardt, Bertine Lafayette, Katherine Howard, Peg Russell, Eric Koch, Marina Pomeroy, and Stacey Zaretsky. Anyone wishing to contribute an article or notice to the Berkeley Grapevine should contact the Berkeley Cooperative Newsletter at berkeleynewsletter@msn.com

BERKELEY — IMPORTANT CONTACT NUMBERS

Milton Rivera, Superintendent: **718-424-0040**
Emergency: **646-403-2558**

Board E-mail address: **berkboard@gmail.com**

Newsletter E-mail address:
berkeleynewsletter@msn.com

Berkeley Google Group/Listserve:
berkeleycoop@googlegroups.com

Berkeley Website: **www.theberkeleycoop.com**

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Emergencies (Eves., Wknds. & Hols.): 718-692-7178