

# **350 BLEECKER STREET CO-OP**

## **Newsletter 123**

**May 14, 2000**

The board met on April 11, 2000. Among the issues discussed:

### **SMOKING IN BACK YARD**

The staff was asked not to smoke in the back yard, because certain residents complained. Smoking is not allowed anywhere in the common areas of the building (basement, lobby, stairwells, laundry room, exercise room, locker room, workshop, etc.)

### **ANNUAL FINANCIAL REPORT – December 31, 1999**

By now, all shareholders should have received the report, which compares 1998 and 1999 financial information. The second to last page mentions an “Incinerator”. This is a typo. It should have read “Compactor”. The report was prepared by Burt Feldman, CPA. Mr. Feldman’s firm was replaced on January 1, 2000. Our new CPA is Rick Montanye.

If you did not receive the report, please ask Marylou Moravec (4E) for a copy.

### **MONTHLY FINANCIAL REPORT**

Attached is Marylou Moravec’s monthly report.

### **CONSTRUCTION**

AM+G (our contractor) still has not informed us when construction will re-start. The board hired Mark Seiden, a construction attorney, to tie up the loose ends in an amicable fashion.

### **OWNERSHIP TRANSFERS**

Certain shareholders wanted to transfer ownership within their immediate family. Andrew Brucker, the transfer agent, coordinates these arrangements. The co-op does not collect any revenue from these changes, but certain service fees are paid to Schechter and Brucker.

### **GARAGE LEASE**

To increase the chance of an amicable agreement, the board requested a neutral professional mediator. Attached is a letter sent to Ken Newman.

## **GARDEN COMMITTEE**

If you'd like to help, please call Laura Herbert at 212 645 1746. Among the plants due to arrive shortly: dwarf plum, pear, peach, nectarine, cherry and apple trees; strawberries; blueberries; roses; rhubarb; cranberries (a non-bog type); gooseberries; black raspberries; red and black currants, and grapes (both seedless as well as wine types). These plants all come from the Miller nursery in Canandaigua, New York, in the Finger Lakes region.

Each dwarf tree only grows to about 6 feet tall. A dwarf is actually a branch grafted to full-size root stock. As long as the graft is kept above the surface, each tree will only grow about 6 feet. If the graft is covered with earth, the tree grows full-size (about 25 feet tall). Although the tree is called a "dwarf", the fruit is full-size. Most of the fruit trees require another tree to be fertilized and bear fruit, although some of the trees are self-pollinating.

The strawberries purchased this year are all "indeterminate" varieties. That means they bear fruit continuously all season. "Determinant" strawberries bear fruit only once, all at the same time. Generally professional farmers prefer determinate varieties so they can plan their harvest crew time schedules, and amateur gardeners prefer indeterminate fruits so they can enjoy a reasonably-sized harvest all season long, a little at a time. Sometimes the amateur gardener buys a determinate variety by accident, and gets an avalanche of tomatoes or strawberries all at once.

Two asparagus varieties were planted last year: green and purple. The asparagus had a high mortality rate because some people mistook the full-size plants for weeds, and pulled them out. Because the remaining plants were not harvested quickly, the asparagus shoots grew 2 to 3 feet tall, and became the "trunks" of the full-size plant.

The harvest is supposed to take place when the plant is only about 8 to 12 inches tall, before the shoots grow branches. Last year's survivors have again grown to their full height this year. Perhaps next year they'll get harvested on time, early in the season. No one on this year's or last year's garden committee had ever seen asparagus grow before, so no one knew the appropriate action to take at the right time.

In spite of the construction, many trees and plants survived, such as the red raspberries, figs, quince, Japanese cherry and pine trees, most roses, some blueberries, a few strawberries, and a minority of the grapes.

SCHECHTER & BRUCKER, P.C.

ATTORNEYS-AT-LAW  
350 FIFTH AVENUE  
EMPIRE STATE BUILDING SUITE 4510  
NEW YORK, NEW YORK 10118

ANDREW P. BRUCKER\*  
HOWARD SCHECHTER  
DAVID H. OSTWALD

DAVID S. KASDAN \*\*  
KENNETH H. AMORELLO†

\* LL.M (TAXATION)  
\*\* N.Y. ANID NJ. BARS  
† N.Y. ANID MASS. BARS

TELEPHONE  
(212) 244-6600

TELECOPIER  
212-244-6784

RONALD FRANCIS  
OF COUNSEL

May 5, 2000

**Via Facsimile 752-0097**  
**Mr. Kenneth B. Newman**  
**Bleecker Charles Company**  
**488 Madison Avenue**  
**New York, NY 10022**

Re: 350 Bleecker Street Apartment Corp.  
Our File No.: 23500-000

Dear Ken:

Some months ago, the board of directors of 350 Bleecker Street Apartment Corp offered to go to mediation with you concerning the garage lease dispute, and to split the cost of such mediation.

I understand that instead of specifically accepting or rejecting its offer, you sent them back a five page agreement. An agreement at this time is premature, for there are many issues involved. However, as another show of good faith, the Board would like to express, once again, its willingness to place this entire matter before a mediator. It should be made clear that notwithstanding the mediation, or any discussion for that matter, both sides reserve their right to exercise any other legal remedies which they may have.

We hope that you will be willing to follow this path so that we might settle this dispute without further costs or delays. We would appreciate hearing from you by facsimile or email (abrucker@sblaw.com) no later than the end of the day on May 10, 2000, with an acceptance or rejection of this offer of mediation. If we do not hear from you by then, we will assume that you are not interested in mediating this issue.

Very truly yours,

/s/ Andrew P. Brucker

Andrew P. Brucker

cc: Board of Directors

**350 Bleecker Street**  
**Cash Basis Operating Results as of 3/30/00**  
**Unaudited: based on managing agent reports**

<u>Month of March</u>			<u>Three Months (Jan-Mar)</u>			
Actual	Budget	Act O/(U) Budget		Actual	Budget	Act O/(U) Budget
			<b><u>INCOME</u></b>			
7,167	7,167	0	Commercial Rent	14,333	21,500	(7,167)
-	1,667	(1,667)	Additional Commercial Rent	-	5,000	(5,000)
-	1,083	(1,083)	Laundry Income	80	3,250	(3,170)
25	417	(391)	Interest Income	107	1,250	(1,143)
1,177	-		Dividend Income	-	-	
-	108	(108)	National Co-op Bank Dividend	2,287	325	1,962
-	2,083	(2,083)	2% Transfer Fees	14,800	6,250	8,550
458	208	249	Sublet Fees	458	625	(168)
100	17	83	Late Fees @ \$50	100	50	50
-	-	-	Bike Room Fees	-	1,400	(1,400)
8,400	-		Storage Locker Fees	8,400	-	8,400
-	9,128	(9,128)	Assessment (53 cents x 17,222)	-	27,383	(27,383)
71,909	80,082	(8,173)	Maintenance Fees (\$4.65)	211,059	240,247	(29,188)
89,236	101,960	(22,301)	<b>Total Income</b>	251,623	307,280	(55,656)
			<b><u>EXPENSES</u></b>			
-	-	-	Real Estate Tax	-	-	-
236	167	69	NYS Franchise Tax	236	500	(264)
274	167	107	NY Corporate Tax	274	500	(226)
-	333	(333)	Loan Interest (6% to AM+G)	-	999	(999)
22,211	24,403	(2,192)	Mortgage Interest + Principal	44,436	73,209	(28,773)
22,721	25,069	(2,348)	<b>Total Taxes + Interest</b>	44,946	75,208	(30,262)
-	292	(292)	Gas for Cooking	590	875	(285)
1,316	1,500	(184)	Electricity	8,711	4,500	4,211
-	-	-	Gas for Hot Water (Summer)	-	-	-
5,329	3,500	1,829	Gas for Steam Heat	5,329	10,500	(5,171)
-	50	(50)	Cable TV	118	150	(32)
-	1,667	(1,667)	Water + Sewer	5,572	5,000	572
6,646	7,008	(363)	<b>Total Utilities</b>	20,320	21,025	(705)
21,805	2,917	18,888	Insurance	24,490	8,750	15,740
4,083	4,125	(42)	Management Fees (Ken Newman)	12,250	12,375	(125)
-	2,083	(2,083)	Legal (excluding certiorari)	3,833	6,250	(2,418)
4,653	667	3,987	Accounting	5,820	2,000	3,820
74	83	(9)	Phone	211	250	(39)
258	200	58	Postage & Stationery	351	600	(249)
324	100	224	Printing	1,268	300	968
-	83	(83)	Licenses, permits, violations	1,293	250	1,043
-	667	(667)	Office expenses	610	2,000	(1,390)
51	54	(4)	Bank Charges	152	163	(10)
-	83	(83)	Dues & Subscriptions	-	250	(250)
25	25	(0)	Internet Site	75	75	(0)
-	-	-	Miscellaneous	52	-	52

-	83	(83)
31,273	11,171	20,103

Security System	-	250	(250)
<b>Total Administrative</b>	50,405	33,513	16,892

**350 Bleecker Street**  
**Cash Basis Operating Results as of 3/30/00**  
 Unaudited: based on managing agent reports

Month of March		
Actual	Budget	Act O/(U) Budget

11,968	13,750	(1,782)
-	1,083	(1,083)
3,839	1,417	2,423
15,808	16,250	(442)

118	1,000	(882)
-	208	(208)
-	833	(833)
366	-	366
-	883	(883)
-	208	(208)
-	667	(667)
-	100	(100)
-	-	-
379	383	(4)
-	83	(83)
188	-	188
-	83	(83)
1,051	4,450	(3,399)

-	1,250	(1,250)
---	-------	---------

-	35,000	(35,000)
-	1,667	(1,667)
-	-	-
-	-	-
-	500	(500)
-	-	-
-	37,167	(37,167)

77,499	102,365	(24,866)
--------	---------	----------

\$ 11,737	\$ (405)	\$ 2,565
-----------	----------	----------

	Three Months (Jan-Mar)		
	Actual	Budget	Act O/(U) Budget

Payroll	35,400	41,250	(5,850)
FICA Taxes	102	3,250	(3,148)
Medical	6,598	4,250	2,348
<b>Total Labor</b>	42,100	48,750	(6,650)

Boiler, Plumbing, A/C	4,871	3,000	1,871
Architect and Engineer	1,115	625	490
Janitorial Supplies	659	2,500	(1,841)
Building Supplies	2,385	-	2,385
Elevator	2,178	2,650	(472)
Electrician	-	625	(625)
Windows	910	2,000	(1,090)
Intercom + Doors	-	300	(300)
Landscaping	-	-	-
Exterminator	758	1,150	(392)
Exercise Room	-	250	(250)
Repairs/Maintenance/Other	196	-	196
Painting, Carpet	-	250	(250)
<b>Total Maintenance / Repairs</b>	13,072	13,350	(278)

Contingency Fund	-	3,750	(3,750)
------------------	---	-------	---------

<u>Construction / Capital</u>			
AM+G (Formerly M+G)	70,072	105,000	(34,928)
AM+G Contingency	-	5,000	(5,000)
Planter Landscaping	-	-	-
Painting Zolotone	-	-	-
Engineering	-	1,500	(1,500)
Exercise Equipment	-	-	-
<b>Total Construction/Capital</b>	70,072	111,500	(41,428)

<b>Total Expense:</b>	240,915	307,095	(66,180)
<i>( Including Contingency )</i>			

<b>Income Less Expense</b>	\$ 10,708	\$ 185	\$ 10,524
----------------------------	-----------	--------	-----------

**Cash Reserve** \$308,267