

I.P.N.T.A. NEWSLETTER – 10/06
INDEPENDENCE PLAZA NORTH TENANTS ASSOCIATION

J-51 UPDATE

The J-51 tax abatement taken by the owners of IPN since 1998 should have rendered all of the apartments at IPN rent stabilized at the last Mitchell Lama rent of the apartment, when IPN was taken out of the M-L program. Currently there is a lawsuit against WBStellar IP asking the court to force Stellar to follow the rules. IPNTA supports this suit. We also introduced the J-51 issue into the earlier lawsuit, in which IPNTA is a plaintiff along with 20 tenants. Seth Miller, Esq. is the lawyer for both cases.

We were still waiting for Judge Marcy Friedman to announce her decision in the J-51. We held up the newsletter for several weeks, hoping we could report to you on a decision. But there is no decision yet. And, an appeals court recently made a decision which might be relevant to the case. The judge wants to hear arguments on the appeals court case. Therefore she has scheduled the argument October 26th 2006. We hope to get a decision from her shortly thereafter. When a decision is made we will certainly contact the tenants quickly with complete information. The decision will affect all tenants at IPN. (see website for history & info: IPNTA.ORG.)

Just to be clear -- **There has been no decision on the J-51 case yet. And when there IS a decision IPNTA will communicate promptly with all tenants.**

INSTALLATION OF A LOW PRESSURE STEAM BOILER

We heard Stellar was thinking of replacing the heating system. We were asked to wait for discussion until they had made some decisions. Several weeks ago we met at Williams Street to discuss. Following is our posed Q(uestions), Stellar's A(nswers), Con Edison's comments to our inquiries, and finally Stellar's response to Con Edison's comments. (This is long but we feel it is important for you to understand what is happening with the heating system.)

Q - Why is Stellar installing a boiler that will operate on Oil?

A - Stellar: We currently have Steam heat – the system is antiquated, unpredictable, too expensive to maintain and breaks down often.

Con Ed's Comments: This must be referring to the building's internal steam system and not the steam feed to the building. Con Edison would have to provide a portable boiler if the steam went out to the building. I am not aware of the age of the building, but normally well maintained buildings' steam systems last quite a long time.

Stellar: We only indicated that the system is antiquated and inefficient, not that it "breaks down" Con Ed steam is highly reliable, however the way that the existing system is set up, heat is often wasted. Tenants may be able to feel this waste heat in the lobbies or areas around the steam stations which are often very hot even in the summer when we are not heating the building.

Q - Where does the existing Con Ed steam heat enter the complex and get processed?

A - **Stellar:** In 40 Harrison Street beneath the lobby and in 80 N. Moore, but not under the lobby.

Q - What type of system is going to be used?

A - **Stellar:** Low Pressure Steam Boiler.

Con Ed's Comments: *This will require a building engineer with a boiler operator certificate.*

Stellar: *We will staff the boiler plant as required by code.*

Q - Where will the tank be located?

A - **Stellar:** The fuel will be contained in a tank outside 310 Greenwich in the corner of the courtyard by the college, below ground level.

Con Ed's comments: *Below ground level these days usually means a vaulted tank. These tanks usually have high level alarms and usually a vapor recovery system. If no vapor recovery system will be installed, there will be quite an odor when filling. The fuel oil vapors also tend to stay embedded in porous materials such as untreated concrete, uncoated walls, and furniture fabrics.*

Stellar: *The proposed tank is not a vaulted tank. It is a buried tank, which in accordance with governing standards of the DEC will be a double walled fiberglass coated tank. Vapors will be minimal and are well within DEC allowances. In addition the fill point has been located to the west of the building lobby and the compactor room exit, in order to keep any potentially vapors far from the lobby and the apartment windows.*

Q - What grade of oil will be used?

A - **Stellar:** Most likely # 2 or #4 – but they may also use #6 and Gas

Con Ed's comments: *#2 fuel oil is diesel. #4 fuel oil is rarely refined and usually a blended #2 and #6. #6 fuel oil is also referred to as a bunker 6. It is a thick fuel oil and requires to be heated in order to flow. This means the tank will need to be heated along with any fuel oil lines associated with it. For instance, we burn our #6 at an optimum temperature of 222 degrees Fahrenheit. Heating #6 usually means there will be vapor discharge during normal storage. The odors from #6 fuel oil is very pungent, and we are forced to use an odor control system.*

Stellar : *The equipment that we are installing is capable of burning #2, #4 and #6 Oils. The oil system which maintains the temperature of the oil is a closed loop which is only opened for filling. We use this set up at many of our buildings and we have no problems with odors or vapors. All fuel handling equipment will comply DEC requirements.*

Con Ed's: *Air permitting is required for industrial air emission, and should also be required by residential systems, especially for a large downtown Manhattan building. These permits are issued by the New York State Department of Environmental Conservation (DEC), and monitored by the City DEP. Permitting either combination of fuel oil would require an extensive review process, and elaborate emissions cleaning process.*

Stellar: *We are in the process of obtaining the DEC Permits. No equipment will be operated without appropriate DEC sign off. DEC standards are rigorous and serve a strong protection for the tenants and the public at large. They are designed to control emission and make sure that no one is exposed to anything harmful.*

Con Ed: *All this being said, my guess would be that the combo #6 and natural gas would be used. I take it that is what "gas" means not gasoline which would be too volatile. This makes sense because the boiler would most likely be air permitted for natural gas (which is clean burning) and a back-up fuel as #6. Therefore the only time you would need to burn #6 is when the gas main is down. Burning natural gas is the cheapest of the fuels, and may be easier to maintain and more cost effective than steam heat (maybe?).*

Q - How much oil will the system hold?

A - **Stellar:** 25,000 gallons

Con Ed's Comments: *At industrial sites, any fuel oil storage in excess of 1,100 gallons requires a DEC registration as a bulk fuel oil storage facility. Also an FDNY Certificate for bulk fuel oil storage is also required. Once again I do not know how this applies for residential sites, but it only makes sense that the FDNY knows about the fuel oil storage.*

Stellar: *Bulk fuel oil storage will be registered with DEC and FDNY. It is necessary to store enough fuel, that we can continue to provide heat if there is a blizzard and fuel oil trucks can not make deliveries.*

Q - Where will the new boiler be located?

A - **Stellar:** Far South Corner of 310 Greenwich in the garage – 2nd level

Con Ed's Comments: *Additional fire suppression systems will most likely be necessary in the garage.*

Stellar : *Effected garages areas will be full covered by an automatic sprinkler system.*

Q - Will tenants located above the system be given CO2 monitors?

A - **Stellar**: All tenants in 310 Greenwich St. will be given CO2/smoke detector monitors.

Con Ed's Comments: *Carbon monoxide is only one gas found during the burning of petroleum hydrocarbons. First the hydrocarbon vapors themselves can cause irritation and other minor problems such as dizziness and nausea. Particulate matter is an issue as far as cleanliness and can cause lung irritation. Both hydrocarbons and particulate matter are not issues if natural gas is burned. Oxides of both nitrogen and sulfur are emitted from burning fuel oils. Both of these can cause mucous membrane irritation which is eyes/nose/throat. This also brings into question—what is the sulfur content of the fuel to be burned? It should be very low, but even low sulfur fuels will emit these oxides. The final gas is carbon dioxide. This tends to be a fairly innocuous gas, but in high enough concentrations will have the same problems as associated with the hydrocarbon vapors. Continuous emission monitoring should be considered to ensure these gases are within limits.*

Stellar : *NYS DEC standards on emissions are rigorous and designed to protect the public. There are also standards for fuels sold and burned in New York with regard to Nitrogen and Sulfur content. Carbon monoxide detectors will be placed in the apartments as a safeguard, however as we have stated before there are thousands of similar installations in NYC and we are not aware of any of these types of problems related to them. The equipment that we are installing is state of the art and very clean burning. All flue gasses will be discharged above the roof level of the IPN buildings which is much higher than any of the other chimneys in the neighborhood. Finally we have intentionally placed the boilers as far as possible from occupied spaces to insure that there will be no issues*

Q - How many parking spaces will be consumed by the new boiler system?

A - **Stellar**: The boiler will displace approximately 21 parking spaces.

Q - When will the installation of the new boiler begin?

A - **Stellar**: The installation will begin before the year end '06 and be completed sometime in the winter of '07

Q – We would appreciate if you could shed some light on the following additional questions that we would like to have answered:

Do they have to register with the Department of Buildings or any other governmental agency prior to installing the new system?

Con Ed's Comments: *A building permit would be required for the installation of any boiler of this size.*

Stellar: *All work will be permitted with Dept of Buildings and DEC*

How safe is a system like this one being proposed? **Con Ed's Comments:** *See above*

Q: Is it truly the state of the art system that big buildings are now using?

Con Ed's Comments: *Natural gas burner would be.*

Stellar : *Similar systems are installed in almost every new residential building being built today*

Q: Do they all have fuel tanks on property holding that many gallons of fuel?

Con Ed's Comments: *I am not sure. You need to find out how much fuel is burned per day in the high usage time (winter?). See how much the tank covers. It sounds like the tank is a back-up to the Con Ed natural gas system.*

Stellar : Most building in New York have fuel tanks. In newer buildings the preferred installation has been to install an “above grade” tank in the cellar of the building. We thought it would be preferable to have the tank underground and outside of the building footprint.

Q: What are the dangers (if any) of a system like this? Is the fuel tank safe? Is the tank at all a danger regarding explosion? (in other words – what are the worst case scenarios of this type of system?)

Con Ed’s Comments: *The fuel oils mentioned all have very different vapor pressures and flash points, meaning the question is hard to answer. The lower the fuel oil number, the vapors and better chance for something like this happening. Properly installed safeguards such as vapor recovery, tank grounding, and fire suppression systems should be adequate. Remember that water does not put out fuel oil fires. We use a foam system.*

Stellar : *The dangers of the new system are dominium, and not just because the engineers and regulatory agencies say so. This is a tried and true system, similar equipment and systems are operating everyday all over New York City. As a company, Stellar Management alone owns and operates over 100 boiler plants similar to this one. The steam is kept at very low pressures (much lower than con ed steam) so is no chance of a steam explosion. The fuels have very high flash points (Meaning that it is difficult to ignite them) and are carefully controlled.*

Q: What are the dangers of the old system we have? Was it always dangerous? Is it more dangerous as it is very old?

Con Ed’s Comments: *The steam system danger usually occurs in the streets and at the building connections not within the building. There have been many upgrades to the system, and the system tends to be quite reliable and safe. The references to being old and dangerous must be referring to the building internal steam distribution system, but that would mean they will be running all new steam lines and not using existing ones for the new boiler (extremely expensive).*

Stellar : We have never indicated that the Con Ed system is unsafe. On the contrary is has operated safely in this building for decades, and is generally viewed as a very safe system. Con Ed does a good job of maintaining their equipment. We are replacing it because it is old and inefficient. This system was probably state of the art, when it was installed forty plus years ago. Age, normal wear and tear, and new technology make it prudent to replace and upgrade mechanical systems from time to time

GRAB BARS FOR SENIORS – need quick responses

Council member Alan Gerson has purchased a supply of grab bars for IPN seniors. We discussed the issue with Management, and they have agreed to have the grab bars installed without charge to the tenant. Gerson’s office had wanted to provide the installation as well. However, Management insisted that their own workers put the bars in.

We need to hear from seniors who would like a grab bar installed in their shower/batharea. Please fill out the form below and drop into the tenant box as soon as possible. Or, fill out your own paper including the same information. We would like to provide the list within the next two weeks to ensure we receive the appropriate amount of grab bars. If you have already signed a list from Caring Community, DO NOT RESPOND AGAIN. We appreciate our Councilmember providing these grab bars for our seniors, and thank management for the installation.

Put this form into the tenant box in your lobby. (not RENT BOX) - Please respond by November 5th, 2007.

Yes! I would like a grab bar and will coordinate with management as to an agreeable time to come and install it.

NAME: _____ BUILDING: _____

APARTMENT #: _____ OR: TOWNHOUSE: _____

CONTACT PHONE: _____ EMAIL: _____

BUILDING SERVICES COMMITTEE

Vice President Marnee May now heads up the Building Services Committee for the IPNTA. Several other Exec. Board members and tenants are on that committee. We thank Virginia Clammer and Vicki Green, who previously ran the committee, for their hard work on tenant's behalf.

HOW TO REPORT A MAINTENANCE OR SECURITY PROBLEM

1. Call Maintenance and get a job order number. Record the date.
2. If the problem is not being addressed, or the issue has not been resolved, THEN notify the IPNTA Building Services Committee. You may either email IPNTA or leave a note with your contact information in the tenant box in the lobby. Please do not call your tenant officers or go to their apartments. The note or email will be responded to.
3. Certain issues would benefit by reporting to 311. Although 311 is not perfect, a record of your complaint is filed. All information is reported to the Community Board. If it is in the middle of the night and there is no response from maintenance for an emergency, (flood, etc.) you must call 311. (Floods or electrical situations are considered emergencies. If you are told that there is no maintenance available after hours, this is neither acceptable nor true and perhaps the security guard is misinformed. Emergency situations must be addressed by our maintenance staff or Super no matter what time it is.) Not everything is an emergency.
4. Issues dealing with our streets are NY city concerns – 911 for emergencies, 311 for others. Both 911 and 311 may keep your identity anonymous if you would prefer.
5. Anonymous notes to the tenant association, however, will be ignored and tossed out.

SAMPLE COMPLAINT FORM FOR IPNTA'S ASSISTANCE: (you may download or fill out online as well. use more paper if needed)

Date			
Tenant Name			
Address/Apt #			
Email address:			
Category of Complaint (i.e. elevator, maintenance, security)			
DETAILS OF COMPLAINT:			
PERSON(S) NOTIFIED:			
ACTION(S) TAKEN:			
RESOLVED?	YES	NO	IN PROCESS

IMPORTANT CONTACTS AT IPN

Management (212) 962-3530; Maintenance (212) 233-1163

SECURITY & AFTER HOURS EMERGENCIES: (212) 376-4161

Tenant Association email: info@ipnta.org or leave a note in tenant box.

Be sure to put name and phone, address, email. In an emergency, our CERT team has advised us to always call 911 first -- then call security at IPN (critical in a life-threatening situation.)

SOME MISCELLANEOUS NOTES:

- Management says **elevator** panels and floor replacement are being done 2 elevators per building at a time. The floor is composite granite. Some tenants expressed concern about when the floors become wet from rain or snow. They are afraid it will be slippery. When we asked Management, we were told that these floors are used in other Stellar buildings without any problems. We are still a bit concerned, though it does look nice.
- Management's target for **hallways** is to be finished before the new year. That's another 2 months.
- Notice displays: When someone puts a business card down into the plexiglass displays in hallways, or posts some self serving anonymous note that is cut shorter than the display slot, it is difficult to remove or to add additional notices. Thereafter tenants cannot get timely notices placed on their floor from management or the tenant association. Please pass this on to anyone you see tampering with the slots. If you are missing a slot, please report to maintenance.
- Terrace rebates: (Regarding those terraces renovated in occupied apartments.) THIS IS STILL PENDING.
- Regarding **Wheelchair access** to:
 - the new management office:

We are waiting for some additional information. Management would like to work with us on solving this issue. **In the meantime, could all tenants who use wheelchairs please send a note to the IPNTA explaining that you need wheelchair access; how you would feel about a "chair lift" (which was one idea they discussed). We want to know how many of you there are. Let us know your thoughts. We will make sure management gets a copy of all notes. Put notes into the tenant box in the lobby and be sure to include your name and contact info (apt./building/etc.) For now, there is a buzzer. They will come up to you in the higher office lobby. They can bring what you need TO YOU.**

- the Lobbies – front door, etc.

We know it is difficult when tenants in wheelchairs are outside of the building and need the outer door opened. The lobbies and entrances are being redone, though not immediately. We will speak to management at our next meeting regarding legally required **handicap** access and egress, for all disabilities.

- \$30,000 to move? VOUCHER TENANTS: If you were offered \$\$\$ to give up your apartment, and were told you could keep your voucher - please be aware that you would not have the same type of enhanced voucher elsewhere. That is a fact. Ask the IPNTA if you have questions about it. LAP tenants were also offered \$\$\$.

IPNTA ENVIRONMENTAL COMMITTEE NEWS

IPNTA co-sponsored a 9/11 Environmental Action town hall forum, "Affected but Neglected: the Impact of 9/11 on Community Health and a Call for Federal Action" at St. Paul's Chapel on 9/7/06. of the over 300 attendants, a large group was from IPN. Scientists, medical experts & elected officials spoke about needs of residents as well as workers and students. Members of the community spoke about their health concerns. Dr. John Howard, the new 9/11 Health Commissioner, was there to listen and report back to the Federal administration. The IPNTA Environmental Committee wishes to thank everyone who helped with the event by distributing flyers, forwarding e-mails, signing the petition, spreading the word and attending the event. We will continue the petition drive to press the Federal government for funding to track and treat 9/11 related illnesses for those who were affected. For information and to find out about other activities and events, contact 9/11 Environmental Action at www.911EA.org.

NEW TENANTS

Welcome to Independence Plaza. We are a unique community. People actually hang out with their neighbors here! During past times of emergencies (black outs, 9/11, severe weather....) IPN tenants have helped each other in amazing ways. We hope you join the TA (Tenants Association) & participate in activities. The IPNTA has been described as the strongest TA in New York City. \$20.00 per year per person \$10.00 per senior. Drop an envelope & check in the Tenant Box in the lobby – not the rent box! Make sure to include your building & apt. number; phone & email would help. If you would like a free copy of IPNTA's NEIGHBOR TO NEIGHBOR booklet about our experience during 9/11 and tips for emergency preparedness, please drop us a note. Questions? info@IPNTA.org.

(Read the Tribeca Trib and Downtown Express to get info about our neighborhood.)

IPNTA EXECUTIVE BOARD

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VP 80 N.Moore (Bldg 1)- Ed Rosner VP 40 Harrison (Bldg.3) Diane Stein;
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