

Yonkers Industrial Development Agency - Special Meeting
August 21, 2015

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SPECIAL MEETING
OF THE
YONKERS INDUSTRIAL DEVELOPMENT AGENCY

Friday, August 21, 2015
9:00 a.m.
Yonkers City Hall
40 South Broadway
Yonkers, New York 10701

TRANSCRIPT OF PROCEEDINGS

SPECIAL MEETING AGENDA
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1. Roll Call
2. Resolution for Consideration
Final Resolution - L&A Acquisition d/b/a Adira at
Riverside Rehabilitation and Nursing
3. Legal Updates
4. Other Business
5. Adjournment

Reported By:

Margaret Prendergast

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2 A P P E A R A N C E S

3 BOARD MEMBERS

4 MAYOR MIKE SPANO - CHAIRMAN

5 DEPUTY MAYOR SUSAN GERRY - SECRETARY

6 MELISSA NACERINO - BOARD MEMBER

7 CECILE SINGER - BOARD MEMBER

8 PETER KISCHAK - BOARD MEMBER

9

10 IDA STAFF

11 KEN JENKINS - IDA PRESIDENT

12 JAIME MCGILL - IDA EXECUTIVE DIRECTOR

13 DEEPIKA MEHRA - IDA/YEDC CHIEF FISCAL OFFICER

14

15 OTHER

16 GREGORY YOUNG, ESQ. - IDA COUNSEL

17 DAVID ROTHMAN, ESQ. - HARRIS BEACH PLLC(Also
18 Substitutes as IDA Counsel in
19 place of Greg Young, Esq.
20 absence)
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1 Proceedings

2 MAYOR SPANO: Thank you everybody for coming
3 out on a Friday morning for this Special Meeting.

4 Do we have a quorum?

5 All right. Roll call.

6 MS. MEHRA: Mayor Spano?

7 MAYOR SPANO: Here.

8 MS. MEHRA: Susan Gerry?

9 MS. GERRY: Here.

10 MS. MEHRA: Martin Ball?

11 (Excused.)

12 MS. MEHRA: Cecile Singer?

13 MS. SINGER: Here.

14 MS. MEHRA: Peter Kischak?

15 MR. KISCHAK: Here.

16 MS. MEHRA: Melissa Nacerino?

17 MS. NACERINO: Here.

18 MS. MEHRA: Robert Macciarello?

19 (Excused.)

20 MS. MEHRA: Mayor, we have a quorum.

21 MAYOR SPANO: Good morning. I'm just going
22 to turn it right over to Ken Jenkins for a
23 resolution consideration.

24 MR. JENKINS: Thank you, Mr. Mayor.

25 We have a final resolution for an L&A

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1 Proceedings

2 Acquisition d/b/a Adira at Riverside

3 Rehabilitation and Nursing. Mr. Rothman.

4 MR. ROTHMAN: You may remember that earlier
5 this year there was a resolution for Adira to
6 acquire the Michael Malotz Nursing Facility. This
7 is a resolution after the procuring period in
8 June, I believe. There were no adverse comments
9 on this project. This is a final resolution for
10 authorized straight transaction, sales tax
11 exemption, employer/employee tax and tax relief.
12 There is a closing actually tentatively scheduled
13 for early next week, probably, from my
14 understanding, between Tuesday and Thursday.
15 That's still being worked out.

16 MAYOR SPANO: Questions? Thank you.

17 Just for the record, we have worked very,
18 very hard with Saint John's Hospital and with
19 the new owners of Malotz in an effort to try
20 to bring about a resolution that would cause
21 the least amount of angst to the employees who
22 work there, at the same time allowing this
23 hospital, this nursing home to operate. A
24 special thanks to Ken and also to Senator
25 Cousins who has been very helpful to us. We

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2 have a plan in the works. This facility is
3 still open and services are still being
4 provided. Are there any new questions about
5 that?

6 MR. KISCHAK: Is there a time limit on the
7 objectives for the employees that are there?

8 MR. JENKINS: The meeting that is in place is
9 in September of 2016.

10 MR. KISCHAK: So what happens after that?

11 MR. JENKINS: They will be in their regular
12 negotiations cycle between the new owners and the
13 management of the facility. That's the normal
14 course of business that they will have anywhere
15 else.

16 MS. NACERINO: Is there a plan in place for
17 the employees?

18 MR. JENKINS: So at the end of the day, in
19 2016, there will be further discussions.

20 MAYOR SPANO: They wouldn't necessarily under
21 these circumstances, but we were, from the very
22 beginning, we were a little cautious about
23 entering into any type of area that would put us
24 in between labor and management. So we think this
25 is a dipping our toe in, stepping on our big toe,

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2 which would allow us not be completely beholding to
3 a long-term agreement. We don't think that was a
4 problem. Now, they'll be able to operate and get
5 to negotiate further on that as they should in the
6 future.

7 MR. JENKINS: An application, as you recall,
8 identifies the number of jobs that they would want
9 to protect. That's part of the reason that there
10 was additional conversation. Again, at the same
11 time this will bolster talks privately. As I said
12 in my discussions, I was able to come about to
13 negotiate, and certainly this is no small feat in
14 discussions with the hospital, especially with
15 the hospital and the concerns that the hospital
16 had as an entity that employs about 3,000 people in
17 the City of Yonkers. We have been concerned about
18 that.

19 MAYOR SPANO: The facility has been somewhat
20 portrayed as Saint John's in the past. So there
21 has to be some type of resolution with these
22 buyers. We have to be creative as possible.
23 Again, I don't like the idea of stepping into
24 labor and management. I think we did just enough
25 to keep them in operation.

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2 MR. KISCHAK: I think what we've accomplished
3 is significant. So stepping on our big toe has
4 helped many people. So I wouldn't want to see
5 people who have invested in their jobs out on the
6 street. These are tough times. It's a difficult
7 situation. It's not a perfect world out there.

8 MAYOR SPANO: Are there any other questions?
9 Okay. Can we get a motion?

10 MS. GERRY: Aye.

11 MAYOR SPANO: All in favor?

12 (Show of hands.)

13 MAYOR SPANO: Any abstaining?

14 MS. SINGER: (Inaudible.)

15 MAYOR SPANO: She is abstaining. She is the
16 Chair of the Saint John's Hospital.

17 Any other business? Short and sweet and
18 to the point.

19 Welcome to Melissa. We're happy to have
20 you on board. Also, we have sent Joy some
21 flowers to say thank you for her time and
22 service with us. She couldn't continue because
23 of her new situation with the bank.

24 Can we have a motion to adjourn?

25 MS. GERRY: I move.

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MAYOR SPANO: All in favor?

(All agree.)

Thank you. We're adjourned.

(Whereupon, the Board Meeting
concludes at 9:07 a.m.)

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C E R T I F I C A T I O N

STATE OF NEW YORK)
) SS.
COUNTY OF WESTCHESTER)

I, MARGARET PRENDERGAST, Court Reporter and
Notary Public within and for the County of
Westchester, State of New York, do hereby certify:

That I reported the proceedings that are
hereinbefore set forth, and that such transcript is a
true and accurate record of said proceedings.

AND, I further certify that I am not related
to any of the parties to this action by blood or
marriage, and that I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 31st day of August, 2015.

MARGARET PRENDERGAST

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<p align="center">A</p> <p>a.m (2) 1:7 8:6 able (2) 6:4,12 absence (1) 2:18 abstaining (2) 7:13,15 accomplished (1) 7:2 accurate (1) 9:13 acquire (1) 4:6 Acquisition (2) 1:15 4:2 action (1) 9:15 additional (1) 6:10 Adira (3) 1:15 4:2,5 adjourn (1) 7:24 adjourned (1) 8:4 Adjournment (1) 1:19 adverse (1) 4:8 AGENCY (1) 1:5 AGENDA (1) 1:13 agree (1) 8:3 agreement (1) 6:3 allow (1) 6:2 allowing (1) 4:22 amount (1) 4:21 angst (1) 4:21 application (1) 6:7 area (1) 5:23 August (2) 1:7 9:19 authorized (1) 4:10 AVENUE (1) 1:23 Aye (1) 7:10</p>	<p>CHIEF (1) 2:13 circumstances (1) 5:21 City (2) 1:8 6:17 closing (1) 4:12 come (1) 6:12 coming (1) 3:2 comments (1) 4:8 completely (1) 6:2 concerned (1) 6:17 concerns (1) 6:15 concludes (1) 8:6 consideration (2) 1:15 3:23 continue (1) 7:22 conversation (1) 6:10 Counsel (2) 2:16,17 County (2) 9:6,9 course (1) 5:14 Court (1) 9:8 Cousins (1) 4:25 creative (1) 6:22 cycle (1) 5:12</p>	<p>final (3) 1:15 3:25 4:9 FISCAL (1) 2:13 flowers (1) 7:21 forth (1) 9:12 Friday (2) 1:7 3:3 further (3) 5:19 6:5 9:14 future (1) 6:6</p>
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