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STATE OF NEW YORK
CITY OF YONKERS

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Minutes of
The City of Yonkers IDA & YEDC
June 29, 2018 - 9:00 a.m.
At
City Hall
40 South Broadway
Yonkers, New York 10701

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B E F O R E:

- MAYOR MIKE SPANO, Chairman
- WILSON KIMBALL, Secretary
- MELISSA NACERINO, Treasurer (Not Present)
- CECILE SINGER, Board Member
- HENRY DJONBALAJ, Member
- PETER KISCHAK, Vice Chairman

I D A S T A F F

- JAIME MCGILL - IDA Executive Director
- MARY LYRAS - IDA/YEDC Chief Fiscal Officer

P R E S E N T:

- KARLY N. GROSZ, ESQ - IDA Counsel
- DAVID ROTHMAN, ESQ. - HARRIS BEACH

1 IDA - MEETING

2 MAYOR SPANO: Good morning.

3 Everybody ready.

4 MS. LYRAS: Mayor Spano.

5 MR. SPANO: Here.

6 MS. LYRAS: Peter Kischak.

7 MR. KISCHAK: Here.

8 MS. LYRAS: Cecile Singer.

9 MS. SINGER: Here.

10 MS. LYRAS: Wilson Kimball.

11 MS. KIMBALL: Here.

12 MS. LYRAS: Henry Djonbalaj.

13 MR. DJONBALAJ: Here.

14 MS. LYRAS: And Melissa

15 Nacerino is excused. We have a

16 quorum.

17 MAYOR SPANO: Good morning,

18 everybody. Everyone has the minutes

19 for the March 22nd, 2018 meeting in

20 front of them. Are there any

21 questions?

22 MS. KIMBALL: I make a motion.

23 MAYOR SPANO: Accept the

24 minutes? Accepted by Henry. All in

25 favor?

1 IDA - MEETING

2 (A chorus of ayes.)

3 MAYOR SPANO: Item three, Mary,
4 Financials.

5 MS. LYRAS: For the month of
6 March we received \$7,085 in Agency
7 Fees. For the month of April we
8 received \$143,385 closing on 70
9 Jackson, and for the month of May we
10 received \$21,962 closing on Whitney
11 Young.

12 Our cash on hand is \$4,151,000,
13 and we have our accountant, Peter
14 Diehl on hand if anyone has any
15 questions.

16 MS. SINGER: On the balance
17 sheet in accounts receivable for May
18 it says \$670 000, and then it says
19 "Less Allowance for Doubtful
20 Accounts, \$670, 000."

21 MS. LYRAS: The \$670,000 is
22 related to Chicken Island. It is
23 funds that we are expecting back.

24 MS. SINGER: So we have a
25 pending amount that we expect back?

1 IDA - MEETING

2 MS. LYRAS: Yes.

3 MS. SINGER: There should be a
4 note so when you look at it we
5 understand what it is.

6 MS. LYRAS: Okay, I can add
7 something to that, absolutely, yes,
8 definitely.

9 MAYOR SPANO: Okay. Any
10 questions? Make a motion? Cecile
11 made a motion, seconded by Pete. All
12 in favor?

13 (A chorus of ayes.)

14 MAYOR SPANO: Negatives? The
15 item is passed.

16 MS. MCGILL: The first
17 resolution is a Resolution Assigning
18 Authority to Execute Future
19 Assignment and Transfer on the
20 Teutonia Buena Vista LLC project.
21 Representing Harris Beach is David
22 Rothman.

23 MR. ROTHMAN: This is a bit of
24 a walk down memory lane, but the
25 short of it is, in 2012 this project

1 IDA - MEETING

2 was induced with the development as
3 Teutonia Hall, Trolley Barn and other
4 locations on Main Street and Buena
5 Vista Avenue.

6 TVB or Teutonia Buena Vusta Development LLC
7 was the company. They had submitted
8 a request to get approval from this
9 Board to assign their rights to a
10 developer to be identified to discuss
11 this if you HAD any questions. He is
12 a representative of TVB, but this is
13 really an assignment of the IDA
14 documents. That's it.

15 MAYOR SPANO: Okay. Any
16 questions for Eric? No questions?
17 Anyone want to make a motion?
18 Cecile, seconded by Wilson. All in
19 favor?

20 (A chorus of ayes.)

21 MAYOR SPANO: Any negatives?
22 Hearing none, the item is passed.
23 Thank you.

24 Just for the record, Eric has
25 been around Yonkers for a long time,

1 IDA - MEETING

2 certainly one of the pioneers
3 involved in our waterfront and
4 everything you have done we very much
5 appreciate it and everything you have
6 done has led to what we are now
7 experiencing out there right now, so
8 I want to say thank you and I know
9 that we'll continue to do business
10 with you.

11 MR. WOLF: I would like to say
12 thank you, Mayor. This
13 administration has been fantastic to
14 work with and really highly
15 constructive, and I would like to
16 thank the IDA, especially when we
17 passed the resolution originally, and
18 frankly it has been a great
19 partnership and the IDA was
20 instrumental in getting 66 million
21 for the pioneering building down
22 here, so I am very proud of what we
23 have accomplished together and I look
24 forward to seeing Yonkers move
25 forward and hopefully be a part of

1 IDA - MEETING

2 that in the future as well. Thank
3 you.

4 MAYOR SPANO: Thank you.

5 MS. MCGILL: The next four
6 resolutions are resolutions
7 Authorizing Sales Tax Exemption
8 Extensions. Again, these are only an
9 extension of time, there is no
10 additional benefit, just allowing
11 additional time for the project to
12 complete construction.

13 The first one is R & M Realty
14 Enterprises LLC.

15 MAYOR SPANO: There is no
16 additional benefit, it's only
17 additional time?

18 MR. ROTHMAN: I believe the
19 Board has done them individually but
20 I don't have to talk.

21 MAYOR SPANO: Okay. Let's take
22 the first one.

23 MS. MCGILL: R & M Realty
24 Enterprises LLC.

25 MAYOR SPANO: Motion by Wilson,

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second by Pete. All in favor?

(A chorus of ayes.)

MAYOR SPANO: Negatives?

Hearing none, the item is passed.

MS. MCGILL: 2B, RMS Warburton
Warburton LLC.

MAYOR SPANO: Motion by Wilson,
seconded by Henry. All in favor?

(A chorus of ayes.)

MAYOR SPANO: Negatives? Item
is passed.

MS. MCGILL: 2C, 411 Bronx River
Development LLC.

MAYOR SPANO: Motion by Wilson,
seconded by Cecile. All in favor?

(A chorus of ayes.)

MAYOR SPANO: Any negatives?
The item passed.

MS. MCGILL: Two D, Stagg
Construction LLC.

MAYOR SPANO: Pete made a
motion, seconded by Wilson. All in
favor?

(A chorus of ayes.)

1 IDA - MEETING

2 MAYOR SPANO: Any negatives?

3 The item is passed.

4 MS. MCGILL: Moving on to the
5 next resolution, authorizing YIDA to
6 fund the 4th of July fireworks.

7 MAYOR SPANO: The fireworks
8 celebration on the waterfront, we
9 held it up last year because of
10 construction. Much of that
11 construction, while still there, we
12 have been able to get some relief.
13 Madero is going to give us a little
14 bit of space to allow for people to
15 use their waterfront.

16 We also know that China
17 Construction is making more of the
18 dock space available, and I think it
19 is a good time to bring the fireworks
20 back.

21 Lastly, we didn't do it because
22 of the construction, but thousands of
23 people showed up anyway so certainly
24 I don't want to disappoint the
25 Yonkers residents who come here every

1 IDA - MEETING

2 year to take part in this, so having
3 the IDA's response to this I thought
4 was a good approach for us.

5 MS. SINGER: It's an
6 interesting resolution, and certainly
7 with the condition of the city
8 currently, it is a very important
9 thing for the IDA to give support to
10 things that are tradition and bring a
11 lot of people here and maintain a
12 whole lot of contrast within the
13 city, so I make a motion to accept.

14 MS. KIMBALL: I second.

15 MAYOR SPANO: Motion by Cecile, seconded
16 by Pete . All in favor?

17 (A chorus of ayes.)

18 MAYOR SPANO: Any negatives?

19 Item is passed.

20 As you know, we have Greg
21 Young. We have Karly who is with us
22 today. Karly Grosz will back up Greg
23 Young when Greg is still recovering
24 from his illness but he is going to
25 be back with us, but in the meantime

1 IDA - MEETING

2 we have Karly with us and welcome to
3 the board.

4 MS. GROSZ: Thank you. I am
5 excited to join.

6 MAYOR SPANO: With that,
7 anything?

8 MS. GROSZ: No.

9 MR. KISCHAK: I just have a
10 question. Is there any update on the
11 bus garage with the city?

12 Good question. Do you have an
13 update on the bus garage?

14 MR. CAVANAUGH: Yes. You know,
15 the Mayor and the city staff met with
16 Pat Foy who is the President of the
17 MTA, two persons below the Chairman a
18 few months ago, explained the
19 situation. He seemed very receptive
20 to trying to find a solution.

21 We have reached out to Pat. We
22 checked in with him twice and he has
23 not found a solution yet. While he
24 says he is still very interested in
25 looking, I think he genuinely is.

1 IDA - MEETING

2 They have not come up with a solution
3 yet, but I think the good thing is
4 that we at least have the ear of the
5 top echelons of MTA. For many years
6 we couldn't get that far.

7 The Mayor was very successful
8 in bringing this to the executive
9 leadership. We are hopeful.

10 MAYOR SPANO: And remember, we
11 are still going to move forward
12 legally because I still firmly
13 believe that we have become the
14 landlord of that property, then time
15 will pass and we'll have a lot more
16 to say. If we are not the landlord,
17 time will pass and we'll have nothing
18 to say.

19 If we don't have the relief by
20 New York City or the MTA, our relief
21 will come by way of condemnation.

22 MS. SINGER: So we have a year
23 for a response to come back or what?

24 MR. CAVANAUGH: I think one of
25 the things that came out of the

1 IDA - MEETING

2 meeting with Mr. Foy was that there
3 is now a heightened awareness of the
4 MTA. In fact we are moving forward.
5 It is not a legal fight that they are
6 anxious to be involved in, so I
7 think, you know, we have their
8 attention in a way that we might not
9 have before, but again, it's the MTA.
10 We don't have an answer yet.

11 MS. SINGER: But the MTA has to
12 be cooperative with a major city that
13 is trying to develop an area, and
14 they are an impediment to the
15 development and I think that it's
16 nice for conversation, but this goes
17 way beyond because we have a
18 development going on right next to
19 and adjoining it. There is an
20 implied contract that we'll do
21 something to make that area viable
22 and they are withholding our right to
23 make the area viable, and I think
24 that we have to go back sooner and
25 sit down with them and really tell

1 IDA - MEETING

2 them what it means to us, and if they
3 are not going to respond, go public
4 on it and work on it.

5 MR. CAVANAUGH: We have not
6 slowed down.

7 MAYOR SPANO: We have been
8 operating on a parallel track. We
9 are trying to talk to them and at the
10 same time the lawsuit is going
11 forward.

12 MS. SINGER: It is a very big
13 deal with what is being developed .

14 MAYOR SPANO: It's the kind of
15 thing that I think at this point I
16 expect to have a discussion with the
17 Governor about a number of issues. I
18 think this has to be one of the main
19 issues I talk to him about because it
20 may have to come from him.

21 MR. KISCHAK: We had a meeting
22 with the IDA office with their
23 attorneys and they were asking our
24 attorney questions. It was going
25 back and forth and that was what,

1 IDA - MEETING

2 several months ago, right?

3 MR. CAVANAUGH: I wasn't part
4 of that discussion.

5 MS. GROSZ: I don't know
6 exactly where the MTA garage is
7 located so I am having trouble
8 keeping up.

9 MS. KIMBALL: By Babcock.

10 MAYOR SPANO: We'll make sure
11 we have counsel bring us up to speed
12 on this so we can give you a better
13 briefing.

14 MR. KISCHAK: I think that's a
15 great idea, speaking to the Governor.

16 MAYOR SPANO: I think at this
17 point New York City is just giving us
18 a lot of lip service, and the MTA,
19 they have their own financial
20 problems so I am sure they are not
21 running out to spend a lot of money.

22 MR. KISCHAK: They will
23 probably stall it as much as they
24 can.

25 MS. SINGER: Which is a problem

1 IDA - MEETING

2 for us.

3 MAYOR SPANO: That is why it is
4 important to continue with the
5 lawsuit to be on a parallel track.
6 If we own it, there is a lease. If
7 there is a lease we know the clock
8 starts to run on them and, you know,
9 it's years down the road but it is
10 certainly better than what we have
11 now which is a piece of property that
12 we don't control. There is a hundred
13 buses running on our streets and they
14 don't pay us one penny in taxes, not
15 one, and they should be.

16 MS. SINGER: It's incredible
17 from that point of view if you look
18 at it narrowly and from the IDA point
19 of view, because our interest is in
20 developing this city and removing
21 impediments. They are a very major
22 impediment.

23 MR. KISCHAK: Plus it is
24 costing them money when you think
25 about it in a business sense. They

1 IDA - MEETING

2 have to travel from Yonkers to go do
3 their bus routes which is down in the
4 Bronx or whatever, so they have to
5 pay a man to drive the thing, pay the
6 fee of working on the buses, adding
7 an extra probably half hour, hour
8 every day on the bus itself, plus an
9 employee.

10 MAYOR SPANO: This past 10
11 years we should have gotten four
12 million dollars in tax revenues from
13 them. New York City should be paying
14 us taxes but they are using the MTA
15 loop hole law not to pay taxes to the
16 residents of the city and that's an
17 insult to injurY.

18 MS. SINGER: The salaries come
19 out of an annual budget. They are
20 looking at this as a capital event.

21 MAYOR SPANO: Any other
22 business?

23 MS. MCGILL: No.

24 MAYOR SPANO: No other
25 business. You want to make a motion

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IDA - MEETING

we adjourn?

MR. KISCHAK: I make a motion.

MAYOR SPANO: On Pete, seconded
by Wilson. All in favor?

(A chorus of ayes.)

(Meeting adjourned.)

(Whereupon, at 9:20 A.M., the
above matter concluded.)

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IDA - MEETING

C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF ROCKLAND)

I, HOWARD BRESHIN, a Notary Public
for and within the State of New York, do
hereby certify:

That the above is a correct
transcription of my stenographic notes.

I further certify that I am not
related to any of the parties to this
action by blood or by 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 30th day of June 2018.



HOWARD BRESHIN

\$	<p>Accounts [1] - 3:20 action [1] - 19:14 add [1] - 4:6 adding [1] - 17:6 additional [4] - 7:10, 7:11, 7:16, 7:17 adjoining [1] - 13:19 adjourn [1] - 18:2 adjourned [1] - 18:7 administration [1] - 6:13 Again [1] - 7:8 again [1] - 13:9 Agency [1] - 3:6 ago [2] - 11:18, 15:2 All [9] - 2:24, 4:11, 5:18, 8:2, 8:9, 8:16, 8:23, 10:16, 18:5 allow [1] - 9:14 Allowance [1] - 3:19 allowing [1] - 7:10 also [1] - 9:16 am [6] - 6:22, 11:4, 15:7, 15:20, 19:12, 19:15 amount [1] - 3:25 annual [1] - 17:19 answer [1] - 13:10 anxious [1] - 13:6 Any [7] - 4:9, 5:15, 5:21, 8:18, 9:2, 10:18, 17:21 any [5] - 2:20, 3:14, 5:11, 11:10, 19:13 anyone [1] - 3:14 Anyone [1] - 5:17 anything [1] - 11:7 anyway [1] - 9:23 appreciate [1] - 6:5 approach [1] - 10:4 approval [1] - 5:8 April [1] - 3:7 Are [1] - 2:20 are [18] - 3:23, 6:6, 7:6, 7:8, 10:10, 12:9, 12:11, 12:16, 13:4, 13:5, 13:14, 13:22, 14:3, 14:9, 15:20, 16:21, 17:14, 17:19 area [3] - 13:13, 13:21, 13:23 around [1] - 5:25 as [5] - 5:2, 7:2, 15:23, 17:20 As [1] - 10:20 asking [1] - 14:23 assign [1] - 5:9 Assigning [1] - 4:17 assignment [1] - 5:13 Assignment [1] - 4:19 at [9] - 1:5, 4:4, 12:4, 14:9, 14:15, 15:16, 16:18, 17:20, 18:8</p>	<p>attention [1] - 13:8 attorney [1] - 14:24 attorneys [1] - 14:23 Authority [1] - 4:18 Authorizing [1] - 7:7 authorizing [1] - 9:5 available [1] - 9:18 Avenue [1] - 5:5 awareness [1] - 13:3 eyes [9] - 3:2, 4:13, 5:20, 8:3, 8:10, 8:17, 8:25, 10:17, 18:6</p>	<p>9:22, 10:24, 10:25, 12:3, 13:9, 13:16, 16:9, 17:14 But [1] - 13:11 By [1] - 15:9 by [16] - 2:24, 4:11, 5:18, 7:25, 8:2, 8:8, 8:9, 8:15, 8:16, 8:23, 10:15, 12:19, 12:21, 18:5, 19:14</p>
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<p style="text-align: center;">1</p> <p>10 [1] - 17:10 10701 [1] - 1:6</p>			
<p style="text-align: center;">2</p> <p>2012 [1] - 4:25 2018 [3] - 1:4, 2:19, 19:18 22nd [1] - 2:19 29 [1] - 1:4</p>			
<p style="text-align: center;">3</p> <p>30th [1] - 19:18</p>			
<p style="text-align: center;">4</p> <p>40 [1] - 1:6 411 [1] - 8:13 4th [1] - 9:6</p>			
<p style="text-align: center;">6</p> <p>66 [1] - 6:20</p>			
<p style="text-align: center;">7</p> <p>70 [1] - 3:8</p>			
<p style="text-align: center;">9</p> <p>9:00 [1] - 1:4 9:20 [1] - 18:8</p>			
<p style="text-align: center;">A</p> <p>a.m [1] - 1:4 A.M [1] - 18:8 able [1] - 9:12 about [3] - 14:17, 14:19, 16:25 above [2] - 18:9, 19:10 absolutely [1] - 4:7 accept [1] - 10:13 Accept [1] - 2:23 Accepted [1] - 2:24 accomplished [1] - 6:23 accountant [1] - 3:13 accounts [1] - 3:17</p>			

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