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STATE OF NEW YORK
CITY OF YONKERS

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Minutes of
The City of Yonkers IDA
May 7, 2019 - 9:20 a.m.

At
470 Nepperhan Avenue
Yonkers, New York 10701

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B E F O R E:

MAYOR MIKE SPANO, Chairman

WILSON KIMBALL, Secretary

CECILE SINGER, Board Member

HENRY DJONBALAJ, Member

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:

DAVID ROTHMAN, ESQ. - HARRIS BEACH

MICHAEL CURTI, ESQ, - HARRIS BEACH

PETER DIEHL - IDA ACCOUNTANT

1 PROCEEDINGS

2 MAYOR SPANO: I want to
3 introduce everybody to Roberto
4 Espiritu who is our newest member of
5 the IDA Board.

6 MR. ESPIRITU: Thank you very
7 much. I appreciate this opportunity,
8 guys, I am looking forward to working
9 with you. Thank you.

10 MAYOR SPANO: Raise your right
11 hand. State your name.

12 MR. ESPIRITU: Roberto
13 Espiritu.

14 MAYOR SPANO: You solemnly
15 swear--

16 MR. ESPIRITU: I solemnly
17 swear--

18 MAYOR SPANO: To support the
19 Constitution--

20 MR. ESPIRITU: To support the
21 Constitution--

22 MAYOR SPANO: Of the United
23 States--

24 MR. ESPIRITU: Of the United
25 States.

1 PROCEEDINGS

2 MAYOR SPANO: The Constitution
3 of the State of New York.

4 MR. ESPIRITU: The Constitution
5 of the State of New York.

6 MAYOR SPANO: And the charter.

7 MR. ESPIRITU: And the charter.

8 MAYOR SPANO: Of the City of
9 Yonkers.

10 MR. ESPIRITU: Of the City of
11 Yonkers.

12 MAYOR SPANO: And I will
13 faithfully--

14 MR. ESPIRITU: And I will
15 faithfully--

16 MAYOR SPANO: Discharge--

17 MR. ESPIRITU: Discharge--

18 MAYOR SPANO: The duties--

19 MR. ESPIRITU: The duties--

20 MAYOR SPANO: Of the office
21 of--

22 MR. ESPIRITU: Of the office
23 of--

24 MAYOR SPANO: As a member of
25 the Yonkers IDA--

1 PROCEEDINGS

2 MR. ESPIRITU: Yonkers IDA.

3 MAYOR SPANO: To the best of my
4 ability--

5 MR. ESPIRITU: To the best of
6 my ability--

7 MAYOR SPANO: So help you God.

8 MR. ESPIRITU: So help me God.

9 MAYOR SPANO: Congratulations.
10 He is a business owner and somebody
11 who is part of the Mexican Chamber of
12 Commerce and I think has a lot to
13 offer, so we are glad to have you on
14 board.

15 MR. ESPIRITU: Thank you for
16 the opportunity.

17 MAYOR SPANO: Roll call.

18 MS. LYRAS: Mayor Spano.

19 MAYOR SPANO: Here.

20 MS. LYRAS: Cecile Singer.

21 MS. SINGER: Here.

22 MS. LYRAS: Wilson Kimball.

23 MS. KIMBALL: Here.

24 MS. LYRAS: Henry Djonbalaj.

25 MR. DJONBALAJ: Here.

1 PROCEEDINGS

2 MS. LYRAS: Roberto Espiritu.

3 MR. ESPIRITU: Here.

4 MS. LYRAS: Pete Kischak and
5 Melissa Nacerino are excused.

6 MAYOR SPANO: Great. I
7 apologize for being late. I have a
8 son who turned 16 years old today and
9 he couldn't wait until 3 o'clock to
10 take his written exam, so I had to
11 take him to the department of Motor
12 Vehicles at 8 o'clock this morning
13 and he got 18 out of 20 right so I
14 guess we are off to a good start.

15 Item two are the minutes for
16 the March 25th meeting. They are in
17 front of everyone. We have a motion
18 from Wilson, seconded from Henry. I
19 know Roberto, you will abstain from
20 this vote because you were not part
21 of that last meeting, so all in
22 favor?

23 (A chorus of ayes.)

24 MAYOR SPANO: Any negatives?

25 Okay, the minutes are passed. Mary,

1 PROCEEDINGS

2 the financials.

3 MS. LYRAS: Within the month of
4 March we received \$46,000 in agency
5 fees, closing on AMS. Our cash on
6 hand as of March 31 is 3.1 million,
7 and we have our accountant, Peter
8 Diehl, on hand if anyone has any
9 questions.

10 MS. SINGER: Can you explain
11 the Pier variance?

12 MS. LYRAS: On income statement
13 Cecile?

14 MS. MCGILL: On the income
15 statement or--

16 MS. SINGER: The finances.

17 MS. LYRAS: On the income
18 statement the variance doesn't
19 include the \$2,500 that goes to the
20 arrears, and then on the year to date
21 there is a slight variance as the
22 payment was late, but then there was
23 a catch-up in the month of April.

24 MS. SINGER: Thank you.

25 MAYOR SPANO: Okay. Any other

1 PROCEEDINGS

2 questions about financials?

3 MS. SINGER: I make a motion.

4 MS. KIMBALL: Second.

5 MAYOR SPANO: Seconded by

6 Wilson. All in favor?

7 (A chorus of ayes.)

8 MAYOR SPANO: Any negatives?

9 The item is passed. Jaimie.

10 MS. MCGILL: Resolutions for
11 Consideration: The first resolution
12 is the final resolution authorizing
13 financial assistance Dayspring
14 Commons, also known as WestHab Inc.

15 We have Mike Curti from Harris
16 Beach. We also have Andrew Germansky
17 from the project. Before we move
18 forward I just want to go through the
19 staff report which we did not include
20 in your packets so I am going to read
21 that to you.

22 We procured third party
23 analysis by Camoin Associates on the
24 benefits being requested by this
25 project.

1 PROCEEDINGS

2 The summary shows that both the
3 direct and indirect economic activity
4 generated as a result of the
5 construction, new tenant spending and
6 job creation all have a positive
7 fiscal impact on the City's
8 revenues.

9 The project is directly
10 creating on site 20 jobs, retaining
11 eight jobs, all estimated to be
12 within the immediate labor area.
13 This creates a permanent spillover
14 effect as does the impact of new
15 tenant spending which, collectively,
16 is estimated to generate over five
17 million in local sales and indirectly
18 create 16 new jobs.

19 Additionally, the construction
20 phase of this project has its own
21 spillover effect creating an increase
22 in local sales.

23 Additionally, the parcels are
24 currently exempt and do not currently
25 generate property tax revenue for the

1 PROCEEDINGS

2 City.

3 This project requested a 30
4 year PILOT. We analyzed the request
5 as well as a PILOT at 15 years. The
6 determination was that the more
7 conservative 15 year PILOT still
8 allows the project to be viable and
9 meet benchmark returns.

10 Upon completion of the project,
11 the City would receive PILOT revenues
12 starting at approximately \$75,000
13 annually and increasing to \$114,000.

14 Considering all of the major
15 community benefits, quality of life
16 impact and economic impact that this
17 43 million dollar investment brings
18 to the City, the recommendation is to
19 approve the project with a 15 year
20 PILOT.

21 MAYOR SPANO: Any questions?
22 This for working families so this is
23 one of these things the IDA does
24 which is a true benefit to the people
25 in our community because this is work

1 PROCEEDINGS

2 force housing for the people that
3 live here, so it is a good use of
4 what it is we all do here in terms of
5 making taxpayer money available to
6 development.

7 MS. SINGER: It is gratifying
8 to see the continuation of the drive
9 to provide more affordable housing in
10 the City, and I think that we have
11 done an interesting job all along
12 Ashburton Avenue and in other areas,
13 and so it is gratifying to provide
14 for a very important need within the
15 city.

16 MAYOR SPANO: How many units is
17 this again?

18 MR. CURTI: Sixty-three.

19 MAYOR SPANO: Cecile make a
20 motion, seconded by Henry. All in
21 favor?

22 (A chorus of ayes.)

23 MAYOR SPANO: Any negatives?
24 The item is passed.

25 MS. MCGILL: The second item is

1 PROCEEDINGS

2 a final resolution authorizing
3 financial assistance, 78-80
4 Morningside LLC.

5 We also procured a report for
6 this so I want to run through our
7 staff recommendation.

8 This project is investing 1.5
9 million into the rehabilitation of a
10 vacant property in a distressed area
11 to create eight units of workforce
12 housing.

13 Based on the fiscal impact
14 analysis, this project will not only
15 create one permanent job and 15 local
16 construction jobs, but by way of
17 tenant spending and operations of the
18 property have an indirect economic
19 impact generating over \$273,000 in
20 sales and indirectly resulting in two new jobs
21 from that spillover impact.

22 We analyzed the request for a
23 10 year PILOT and determined that a
24 more modest five year PILOT allows
25 this project to be viable and still

1 PROCEEDINGS

2 reach a benchmark return.

3 The current taxes on this
4 parcel are approximately \$17,000
5 annually. A five year PILOT would
6 increase property taxes over the next
7 five years phasing into full taxes
8 and resulting in a modest savings of
9 \$26,000 over the life of the PILOT.

10 The rehabilitation of this
11 abandoned property creates a stimulus
12 in the local community, helps to
13 improve the quality of life of its
14 residents and will attract additional
15 investment in the neighborhood.

16 Based on these community
17 benefits and the economic impact that
18 this investment brings to the City,
19 the recommendation is to approve the
20 project with the five year PILOT.

21 MAYOR SPANO: Any other
22 questions? Hearing none, Henry made
23 a motion, seconded by Cecile. All in
24 favor?

25 (A chorus of ayes.)

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PROCEEDINGS

MAYOR SPANO: Any negatives?
Item is passed. Number three.

MS. MCGILL: Authorizing
resolution approving the provision of
financial assistance in the form of
Mortgage Recording Tax Exemption for
the Bronx River Commons LLC.

We have Mike Curti and Kathy
Bradshaw from the project.

MR. CURTI: Very briefly,
before we turn it over to Ms.
Bradshaw to make a presentation.

Many of you may be familiar
with the site. It is what is known
as the former Kimball Theater located
at 1219 Yonkers Avenue.

As many of you know, this site
has had a bit of a troubled history.
There was a fire many years ago. It
has since that time been demolished.
There has been some litigation over
it and what have you.

The proposal that is here
before you is more of a conceptual

1 PROCEEDINGS

2 proposal because the applicant has,
3 number one, is in contract to acquire
4 the property and second the applicant
5 has not received their land use
6 approvals for the concept they are
7 about to show you.

8 What is being proposed is a 295
9 unit affordable housing project
10 located on the site with about a
11 thousand square feet of commercial
12 space.

13 What the IDA would be approving
14 is a mortgage recording tax only, so
15 that they can go forward and acquire
16 the parcel.

17 It is my understanding that
18 based upon representations that they
19 have made to the Board, they are
20 going to move forward on the
21 Brownfield remediation.

22 The site is currently in the
23 Brownfield cleanup program that is
24 administered by the State of New
25 York. So the only thing that this

1 PROCEEDINGS

2 Board would be granting would be the
3 one and a half percent mortgage
4 recording tax exemption that the IDA
5 can grant under the law. This would
6 have to return to the IDA for
7 assistance by way of a sales tax
8 exemption and also a payment in lieu of tax
9 agreement, so I think at this time I
10 will turn it over to Ms. Bradshaw to
11 give you a presentation.

12 MS. KIMBALL: Is it in the old
13 Brownfield 20 percent or is it in the
14 New York--

15 MR. CURTI: I am not certain.
16 I'd have to defer.

17 MS. KIMBALL: Is it in the 20
18 percent or the more modern one.

19 MS. BRADSHAW: The more modern
20 one, and I think part of the
21 Brownfield that we are in sunseting
22 at the end of this year so we want to
23 try to get the project started as
24 quickly as possible.

25 I will use this. This is again

1 PROCEEDINGS

2 just a basic rendering of the site.
3 We don't have approval.

4 This is a 295 unit building
5 which is looking from Crescent down
6 along Yonkers Avenue, and at this
7 rendering, this is an 18 story
8 building. We are looking to see if
9 we are able to move down maybe to 17
10 stories to lower the height of the
11 building, but we are looking first to
12 purchase it, and in the meantime,
13 once we purchase it we have our
14 architects and our professionals
15 working presenting to both the Zoning
16 and the Planning Board, and our
17 purpose of purchasing it and starting
18 is to get the remediation done on the
19 site. It has been left in a
20 dilapidated condition for many years
21 and we are looking to at least get
22 under way with the cleanup of the
23 site.

24 MAYOR SPANO: 294. What was
25 the previous approval on that site?

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PROCEEDINGS

We have been through this,
obviously, with this site before.

MS. BRADSHAW: I believe a few
years ago it was a 220 unit approval
and I want to say that I think that's
at least I am going to say five to
seven years old, the last approval.

MAYOR SPANO: Where are you
guys with the trades.

MS. BRADSHAW: I am sorry?

MAYOR SPANO: Where are you
guys with the trades, PLAs?

MS. KIMBALL: Conversations
with the union.

MS. BRADSHAW: We are proposing
a nonunion project.

MAYOR SPANO: Are you going to
at least meet with our trades and try
to come up with an agreement?

MS. BRADSHAW: I will speak
with them about that. I know we are
at the preliminary stages at putting
the plans together and starting the
project in terms of what we are able

1 PROCEEDINGS

2 to build there. I don't know what
3 they have -- if they have explored
4 the actual building with the union or
5 working out some type of an
6 agreement.

7 MAYOR SPANO: Okay.

8 MS. SINGER: What kind of a
9 mixture will you have, one bedroom,
10 two bedroom?

11 MS. BRADSHAW: Currently 295
12 units, there is a mixture that would
13 be predominantly one bedroom, some
14 two bedrooms, a couple -- a few three
15 bedrooms and studios.

16 MS. SINGER: Will you provide a
17 meeting room within this space?

18 MS. BRADSHAW: Again, this is
19 all conceptual, but there is a
20 business center that is proposed.
21 There are amenities, laundry rooms
22 throughout the building not just
23 located in the basement or the low
24 floors, a gym space or a fitness
25 center and a nice lobby entrance.

1 PROCEEDINGS

2 MS. SINGER: But a meeting room
3 has become something that is very
4 important to a lot of the people in
5 housing.

6 MS. BRADSHAW: Yes.

7 MS. SINGER: I would hope as
8 you do your planning you would
9 consider that.

10 MS. BRADSHAW: I believe the
11 business center will have a
12 conference room, a room that, you
13 know, you can hold meetings in and
14 have gatherings, yes.

15 MS. SINGER: Thank you.

16 MAYOR SPANO: All right. Could
17 you do me a favor? I am going to
18 hold this. We are not going to pass
19 it today, but I need you guys to kind
20 of get me a better handle on the 294.
21 I am getting a lot of rumbling from
22 the people that live in that
23 community about an uptick in the
24 number that they feel maybe will have
25 a real adverse effect on the quality

1 PROCEEDINGS

2 of life and the traffic and it's
3 already overwhelming Bronx River
4 Road.

5 The other thing too, I need you
6 to get to our trades guys and have
7 conversations with them, so I know
8 that we have had this discussion in
9 the past. We had this discussion in
10 the past. It has not been as
11 fruitful as we would like it to be.
12 We encourage and look for that type
13 of participation. We don't require
14 it but we would really want a good
15 effort and so --

16 MS. BRADSHAW: I know they have
17 a meeting today at the Department of
18 Buildings. I believe it is at 11
19 o'clock. They are proposing to lower
20 one story, you know, to lower the
21 height by one story.

22 This project is going to be a
23 self-parking project. I know some of
24 the other projects had lifts or
25 attendant parking, so we are going

1 PROCEEDINGS

2 further down into the ground and we
3 feel that would make a better way for
4 traffic to flow and not back up, so I
5 believe that, you know, taking into
6 consideration there is 300 parking
7 spaces at this time proposed, I will
8 --

9 MAYOR SPANO: There is still
10 some other questions. This is a
11 gateway project, a gateway into our
12 community. I know what we approved
13 before. This seems to be very
14 different, seems to be more units.

15 I guess is this market rate?
16 Is this affordable?

17 MS. BRADSHAW: Currently,
18 again, we don't have any work force
19 housing that has -- we put our
20 proposals for work force housing. We
21 don't have anything accepted yet. We
22 are trying to see if that is
23 something that would be accepted. If
24 not, it has to be a market rate
25 project with the affordability

1 PROCEEDINGS

2 requirements of the City of Yonkers,
3 10 percent affordable, but again,
4 nothing has been set in stone because
5 we want to try to get the purchase
6 under way, and in order to do the
7 purchase we wanted to have the IDA
8 approval on the mortgage tax because
9 we have a substantial mortgage that
10 we would have on the property, and in
11 the meantime we would be working
12 through all the other issues, but to
13 allow the closing, at least that
14 would allow us to start working the
15 cleanup of the project and so, you
16 know, meeting with the trades and
17 working everything out that needs to
18 be done, the number of units, we
19 could be working on that in the
20 meantime, but until we actually
21 purchase it we can't commence the
22 Brownfield cleanup on that project.

23 MAYOR SPANO: I am not going to
24 hold you up more, but I need more
25 clarity.

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PROCEEDINGS

MS. BRADSHAW: Thank you.

MAYOR SPANO: Any legal updates? Any other business?

MR. CURTI: Just one. I am sorry, Mayor, very quick. The one legal update is, I briefed the Board at the least meeting on Leggiardro. There was some discussion there may be a contract of sale or there was a contract of sale for the property.

I have been advised since that time from the attorney that the contract of sale was terminated and the deposit was returned. I will brief the Board further after staff has had an opportunity to speak with Leggiardro to determine what they are doing.

MAYOR SPANO: Make a motion we adjourn? Wilson. All in favor?

(A chorus of ayes.)

MAYOR SPANO: Thank you.

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PROCEEDINGS

(Whereupon, at 9:40 A.M., the
above matter concluded.)

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PROCEEDINGS

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 9th day of May 2019.



HOWARD BRESHIN

\$	A.M [1] - 24:2 abandoned [1] - 12:11 ability [2] - 4:4, 4:6 able [2] - 16:9, 17:25 about [5] - 7:2, 14:7, 14:10, 17:22, 19:23 above [2] - 24:3, 25:10 abstain [1] - 5:19 accepted [2] - 21:21, 21:23 accountant [1] - 6:7 acquire [2] - 14:3, 14:15 action [1] - 25:14 activity [1] - 8:3 actual [1] - 18:4 actually [1] - 22:20 additional [1] - 12:14 Additionally [2] - 8:19, 8:23 adjourn [1] - 23:21 administered [1] - 14:24 adverse [1] - 19:25 advised [1] - 23:12 affordability [1] - 21:25 affordable [4] - 10:9, 14:9, 21:16, 22:3 after [1] - 23:16 again [4] - 10:17, 15:25, 21:18, 22:3 Again [1] - 18:18 agency [1] - 6:4 ago [2] - 13:20, 17:5 agreement [3] - 15:9, 17:20, 18:6 All [5] - 7:6, 10:20, 12:23, 19:16, 23:21 all [8] - 5:21, 8:6, 8:11, 9:14, 10:4, 10:11, 18:19, 22:12 allow [2] - 22:13, 22:14 allows [2] - 9:8, 11:24 along [2] - 10:11, 16:6 already [1] - 20:3 also [4] - 7:14, 7:16, 11:5, 15:8 am [11] - 2:8, 7:20, 15:15, 17:7, 17:11, 19:17, 19:21, 22:23, 23:5, 25:12, 25:15 amenities [1] - 18:21 AMS [1] - 6:5 analysis [2] - 7:23, 11:14 analyzed [2] - 9:4, 11:22 Andrew [1] - 7:16 annually [2] - 9:13, 12:5 Any [9] - 5:24, 6:25, 7:8, 9:21, 10:23, 12:21, 13:2, 23:3, 23:4 any [3] - 6:8, 21:18, 25:13 anyone [1] - 6:8 anything [1] - 21:21 apologize [1] - 5:7 applicant [2] - 14:2, 14:4	appreciate [1] - 2:7 approval [5] - 16:3, 16:25, 17:5, 17:8, 22:8 approvals [1] - 14:6 approve [2] - 9:19, 12:19 approved [1] - 21:12 approving [2] - 13:5, 14:13 approximately [2] - 9:12, 12:4 April [1] - 6:23 architects [1] - 16:14 are [26] - 4:13, 5:5, 5:14, 5:15, 5:16, 5:25, 8:23, 12:4, 14:6, 14:19, 15:21, 16:8, 16:9, 16:11, 16:21, 17:9, 17:12, 17:16, 17:22, 17:25, 18:21, 19:18, 20:19, 20:25, 21:22, 23:18 Are [1] - 17:18 area [2] - 8:12, 11:10 areas [1] - 10:12 arrears [1] - 6:20 As [2] - 3:24, 13:18 as [13] - 6:6, 6:21, 7:14, 8:4, 8:14, 9:5, 13:16, 15:23, 15:24, 19:7, 20:10, 20:11 Ashburton [1] - 10:12 assistance [4] - 7:13, 11:3, 13:6, 15:7 Associates [1] - 7:23 at [19] - 1:5, 5:12, 9:5, 9:12, 13:17, 15:9, 15:22, 16:6, 16:21, 17:7, 17:19, 17:23, 20:17, 20:18, 21:7, 22:13, 23:8, 24:2 attendant [1] - 20:25 attorney [1] - 23:13 attract [1] - 12:14 authorizing [2] - 7:12, 11:2 Authorizing [1] - 13:4 available [1] - 10:5 Avenue [4] - 1:5, 10:12, 13:17, 16:6 eyes [5] - 5:23, 7:7, 10:22, 12:25, 23:22	Beach [1] - 7:16 because [5] - 5:20, 9:25, 14:2, 22:4, 22:8 become [1] - 19:3 bedroom [3] - 18:9, 18:10, 18:13 bedrooms [2] - 18:14, 18:15 been [7] - 13:21, 13:22, 16:19, 17:2, 20:10, 22:4, 23:12 Before [1] - 7:17 before [4] - 13:12, 13:25, 17:3, 21:13 being [3] - 5:7, 7:24, 14:8 believe [4] - 17:4, 19:10, 20:18, 21:5 benchmark [2] - 9:9, 12:2 benefit [1] - 9:24 benefits [3] - 7:24, 9:15, 12:17 best [2] - 4:3, 4:5 better [2] - 19:20, 21:3 bit [1] - 13:19 blood [1] - 25:14 board [1] - 4:14 Board [7] - 1:12, 2:5, 14:19, 15:2, 16:16, 23:7, 23:16 both [2] - 8:2, 16:15 Bradshaw [3] - 13:10, 13:13, 15:10 BRADSHAW [12] - 15:19, 17:4, 17:11, 17:16, 17:21, 18:11, 18:18, 19:6, 19:10, 20:16, 21:17, 23:2 BRESHIN [2] - 25:7, 25:21 brief [1] - 23:16 briefed [1] - 23:7 briefly [1] - 13:11 brings [2] - 9:17, 12:18 Bronx [2] - 13:8, 20:3 Brownfield [5] - 14:21, 14:23, 15:13, 15:21, 22:22 build [1] - 18:2 building [5] - 16:4, 16:8, 16:11, 18:4, 18:22 Buildings [1] - 20:18 business [4] - 4:10, 18:20, 19:11, 23:4 but [10] - 6:22, 11:16, 16:11, 18:19, 19:19, 20:14, 22:3, 22:12, 22:20, 22:24 But [1] - 19:2 by [11] - 7:5, 7:23, 7:24, 10:20, 11:16, 12:23, 14:24, 15:7, 20:21, 25:14
1			
1.5 [1] - 11:8 10 [2] - 11:23, 22:3 10701 [1] - 1:6 11 [1] - 20:18 1219 [1] - 13:17 15 [4] - 9:5, 9:7, 9:19, 11:15 16 [2] - 5:8, 8:18 17 [1] - 16:9 18 [2] - 5:13, 16:7			
2			
20 [4] - 5:13, 8:10, 15:13, 15:17 2019 [2] - 1:4, 25:18 220 [1] - 17:5 25th [1] - 5:16 294 [2] - 16:24, 19:20 295 [3] - 14:8, 16:4, 18:11			
3			
3 [1] - 5:9 3.1 [1] - 6:6 30 [1] - 9:3 300 [1] - 21:6 31 [1] - 6:6			
4			
43 [1] - 9:17 470 [1] - 1:5			
7			
7 [1] - 1:4 78-80 [1] - 11:3			
8			
8 [1] - 5:12			
9			
9:20 [1] - 1:4 9:40 [1] - 24:2 9th [1] - 25:18			
A			
a.m [1] - 1:4			
	B		
	B [1] - 1:8 back [1] - 21:4 Based [2] - 11:13, 12:16 based [1] - 14:18 basement [1] - 18:23 basic [1] - 16:2 be [18] - 8:11, 9:8, 11:25, 13:14, 14:13, 15:2, 18:13, 20:11, 20:22, 21:13, 21:14, 21:23, 21:24, 22:11, 22:18, 22:19, 23:10 BEACH [2] - 1:24, 1:25		
		C	
		C [2] - 25:2 call [1] - 4:17	

<p>Camoin [1] - 7:23 Can [1] - 6:10 can [3] - 14:15, 15:5, 19:13 can't [1] - 22:21 cash [1] - 6:5 catch [1] - 6:23 catch-up [1] - 6:23 Cecile [4] - 4:20, 6:13, 10:19, 12:23 CECILE [1] - 1:12 center [3] - 18:20, 18:25, 19:11 certain [1] - 15:15 certify [2] - 25:9, 25:12 Chairman [1] - 1:10 Chamber [1] - 4:11 charter [2] - 3:6, 3:7 Chief [1] - 1:19 chorus [5] - 5:23, 7:7, 10:22, 12:25, 23:22 city [1] - 10:15 CITY [1] - 1:2 City [9] - 1:4, 3:8, 3:10, 9:2, 9:11, 9:18, 10:10, 12:18, 22:2 City's [1] - 8:7 clarity [1] - 22:25 cleanup [4] - 14:23, 16:22, 22:15, 22:22 closing [2] - 6:5, 22:13 collectively [1] - 8:15 come [1] - 17:20 commence [1] - 22:21 Commerce [1] - 4:12 commercial [1] - 14:11 Commons [2] - 7:14, 13:8 community [6] - 9:15, 9:25, 12:12, 12:16, 19:23, 21:12 completion [1] - 9:10 concept [1] - 14:6 conceptual [2] - 13:25, 18:19 concluded [1] - 24:3 condition [1] - 16:20 conference [1] - 19:12 Congratulations [1] - 4:9 conservative [1] - 9:7 consider [1] - 19:9 Consideration [1] - 7:11 consideration [1] - 21:6 Considering [1] - 9:14 Constitution [4] - 2:19, 2:21, 3:2, 3:4 construction [3] - 8:5, 8:19, 11:16 continuation [1] - 10:8 contract [4] - 14:3, 23:10, 23:11, 23:14 Conversations [1] - 17:14</p>	<p>conversations [1] - 20:7 correct [1] - 25:10 Could [1] - 19:16 could [1] - 22:19 couldn't [1] - 5:9 COUNTY [1] - 25:5 couple [1] - 18:14 create [3] - 8:18, 11:11, 11:15 creates [2] - 8:13, 12:11 creating [2] - 8:10, 8:21 creation [1] - 8:6 Crescent [1] - 16:5 current [1] - 12:3 Currently [2] - 18:11, 21:17 currently [3] - 8:24, 14:22 CURTI [5] - 1:25, 10:18, 13:11, 15:15, 23:5 Curti [2] - 7:15, 13:9</p>	<p>down [3] - 16:5, 16:9, 21:2 drive [1] - 10:8 Drumanski [1] - 7:16 duties [2] - 3:18, 3:19</p>	<p>floors [1] - 18:24 flow [1] - 21:4 for [19] - 4:15, 5:7, 5:15, 7:10, 8:25, 9:22, 10:2, 10:14, 11:5, 11:22, 13:7, 14:6, 15:6, 16:20, 20:12, 21:3, 21:20, 23:11, 25:8 force [3] - 10:2, 21:18, 21:20 form [1] - 13:6 former [1] - 13:16 forward [4] - 2:8, 7:18, 14:15, 14:20 from [10] - 5:18, 5:19, 7:15, 7:17, 11:21, 13:10, 16:5, 19:21, 23:13 front [1] - 5:17 fruitful [1] - 20:11 full [1] - 12:7 further [3] - 21:2, 23:16, 25:12</p>
	<p>D</p>	<p>E</p>	
	<p>D [1] - 1:16 date [1] - 6:20 DAVID [1] - 1:24 day [1] - 25:18 Dayspring [1] - 7:13 defer [1] - 15:16 demolished [1] - 13:21 Department [1] - 20:17 department [1] - 5:11 deposit [1] - 23:15 determination [1] - 9:6 determine [1] - 23:18 determined [1] - 11:23 development [1] - 10:6 did [1] - 7:19 Diehl [1] - 6:8 different [1] - 21:14 dilapidated [1] - 16:20 direct [1] - 8:3 directly [1] - 8:9 Director [1] - 1:18 Discharge [2] - 3:16, 3:17 discussion [3] - 20:8, 20:9, 23:9 distressed [1] - 11:10 Djonbalaj [1] - 4:24 DJONBALAJ [2] - 1:13, 4:25 do [6] - 8:24, 10:4, 19:8, 19:17, 22:6, 25:8 does [2] - 8:14, 9:23 doesn't [1] - 6:18 doing [1] - 23:19 dollar [1] - 9:17 don't [5] - 16:3, 18:2, 20:13, 21:18, 21:21 done [3] - 10:11, 16:18, 22:18</p>	<p>E [6] - 1:8, 1:22, 25:2 economic [4] - 8:3, 9:16, 11:18, 12:17 effect [3] - 8:14, 8:21, 19:25 effort [1] - 20:15 eight [2] - 8:11, 11:11 encourage [1] - 20:12 end [1] - 15:22 entrance [1] - 18:25 Espiritu [3] - 2:4, 2:13, 5:2 ESPIRITU [17] - 2:6, 2:12, 2:16, 2:20, 2:24, 3:4, 3:7, 3:10, 3:14, 3:17, 3:19, 3:22, 4:2, 4:5, 4:8, 4:15, 5:3 ESQ [2] - 1:24, 1:25 estimated [2] - 8:11, 8:16 everybody [1] - 2:3 everyone [1] - 5:17 everything [1] - 22:17 exam [1] - 5:10 excused [1] - 5:5 Executive [1] - 1:18 exempt [1] - 8:24 Exemption [1] - 13:7 exemption [2] - 15:4, 15:8 explain [1] - 6:10 explored [1] - 18:3</p>	
	<p>D</p>	<p>F</p>	<p>G</p>
		<p>F [4] - 1:8, 1:16, 25:2 faithfully [2] - 3:13, 3:15 familial [1] - 13:14 families [1] - 9:22 favor [6] - 5:22, 7:6, 10:21, 12:24, 19:17, 23:21 feel [2] - 19:24, 21:3 fees [1] - 6:5 feet [1] - 14:11 few [2] - 17:4, 18:14 final [2] - 7:12, 11:2 finances [1] - 6:16 financial [4] - 7:13, 8:7, 11:3, 13:6 financials [2] - 6:2, 7:2 fire [1] - 13:20 first [2] - 7:11, 16:11 fiscal [1] - 11:13 Fiscal [1] - 1:19 fitness [1] - 18:24 five [6] - 8:16, 11:24, 12:5, 12:7, 12:20, 17:7</p>	<p>gateway [2] - 21:11 gatherings [1] - 19:14 generate [2] - 8:16, 8:25 generated [1] - 8:4 generating [1] - 11:19 get [6] - 15:23, 16:18, 16:21, 19:20, 20:6, 22:5 getting [1] - 19:21 give [1] - 15:11 glad [1] - 4:13 go [2] - 7:18, 14:15 God [2] - 4:7, 4:8 goes [1] - 6:19 going [9] - 7:20, 14:20, 17:7, 17:18, 19:17, 19:18, 20:22, 20:25, 22:23 good [3] - 5:14, 10:3, 20:14 got [1] - 5:13 grant [1] - 15:5 granting [1] - 15:2 gratifying [2] - 10:7, 10:13 Great [1] - 5:6 ground [1] - 21:2 guess [2] - 5:14, 21:15 guys [5] - 2:8, 17:10, 17:13, 19:19, 20:6 gym [1] - 18:24</p>
			<p>H</p>
			<p>had [6] - 5:10, 13:19, 20:8, 20:9, 20:24, 23:17 half [1] - 15:3 hand [4] - 2:11, 6:6, 6:8, 25:18 handle [1] - 19:20</p>

<p>HARRIS [2] - 1:24, 1:25 Harris [1] - 7:15 has [15] - 4:12, 6:8, 8:20, 13:19, 13:21, 13:22, 14:2, 14:5, 16:19, 19:3, 20:10, 21:19, 21:24, 22:4, 23:17 have [33] - 4:13, 5:7, 5:17, 6:7, 7:15, 7:16, 8:6, 10:10, 11:18, 13:9, 13:23, 14:19, 15:6, 15:16, 16:3, 16:13, 17:2, 18:3, 18:9, 19:11, 19:14, 19:24, 20:6, 20:8, 20:16, 21:18, 21:21, 22:7, 22:9, 22:10, 23:12, 25:17 He [1] - 4:10 he [2] - 5:9, 5:13 Hearing [1] - 12:22 height [2] - 16:10, 20:21 help [2] - 4:7, 4:8 helps [1] - 12:12 Henry [4] - 4:24, 5:18, 10:20, 12:22 HENRY [1] - 1:13 here [3] - 10:3, 10:4, 13:24 Here [5] - 4:19, 4:21, 4:23, 4:25, 5:3 hereby [1] - 25:9 hereunto [1] - 25:17 him [1] - 5:11 his [1] - 5:10 history [1] - 13:19 hold [3] - 19:13, 19:18, 22:24 hope [1] - 19:7 housing [7] - 10:2, 10:9, 11:12, 14:9, 19:5, 21:19, 21:20 How [1] - 10:16 HOWARD [2] - 25:7, 25:21</p>	<p>IDA/YEDC [1] - 1:19 if [4] - 6:8, 16:8, 18:3, 21:22 If [1] - 21:23 immediate [1] - 8:12 impact [8] - 8:7, 8:14, 9:16, 11:13, 11:19, 11:21, 12:17 important [2] - 10:14, 19:4 improve [1] - 12:13 IN [1] - 25:17 in [44] - 5:16, 5:21, 6:4, 6:23, 7:6, 7:20, 8:17, 8:22, 9:25, 10:4, 10:9, 10:12, 10:20, 11:10, 11:19, 11:20, 12:8, 12:12, 12:15, 12:23, 13:6, 14:3, 14:22, 15:12, 15:13, 15:17, 15:21, 16:12, 16:19, 17:25, 18:23, 19:4, 19:13, 19:22, 19:23, 20:8, 20:9, 22:4, 22:6, 22:10, 22:19, 23:21, 25:15 Inc [1] - 7:14 include [2] - 6:19, 7:19 income [3] - 6:12, 6:14, 6:17 increase [2] - 8:21, 12:6 increasing [1] - 9:13 indirect [2] - 8:3, 11:18 indirectly [1] - 8:17 interested [1] - 25:15 interesting [1] - 10:11 into [5] - 11:9, 12:7, 21:2, 21:5, 21:11 introduce [1] - 2:3 investing [1] - 11:8 investment [3] - 9:17, 12:15, 12:18 Is [3] - 15:12, 15:17, 21:16 is [54] - 2:4, 4:10, 4:11, 6:6, 6:21, 7:9, 7:12, 8:9, 8:16, 9:18, 9:22, 9:24, 9:25, 10:3, 10:4, 10:7, 10:13, 10:16, 10:24, 10:25, 11:8, 12:19, 13:3, 13:15, 13:24, 13:25, 14:3, 14:8, 14:14, 14:17, 14:22, 14:23, 15:13, 15:25, 16:4, 16:5, 16:7, 16:18, 18:12, 18:18, 18:19, 18:20, 19:3, 20:18, 20:22, 21:6, 21:9, 21:10, 21:15, 21:22, 23:7, 25:10 issues [1] - 22:12 it [19] - 10:3, 10:4, 10:13, 13:12, 13:23, 15:10, 15:12, 15:13, 15:17, 16:12, 16:13, 16:17, 17:5, 19:19, 20:11, 20:14, 20:18, 21:24, 22:21 It [6] - 10:7, 13:15, 13:20, 14:17, 16:19, 20:10</p>	<p>it's [1] - 20:2 item [3] - 7:9, 10:24, 10:25 Item [2] - 5:15, 13:3 its [2] - 8:20, 12:13</p>	<p>20:20 LYRAS [10] - 1:19, 4:18, 4:20, 4:22, 4:24, 5:2, 5:4, 6:3, 6:12, 6:17</p>
		J	M
		<p>JAIMIE [1] - 1:18 Jaimie [1] - 7:9 job [3] - 8:6, 10:11, 11:15 jobs [5] - 8:10, 8:11, 8:18, 11:16, 11:20 Just [1] - 23:5 just [3] - 7:18, 16:2, 18:22</p>	<p>made [2] - 12:22, 14:19 major [1] - 9:14 Make [1] - 23:20 make [4] - 7:3, 10:19, 13:13, 21:3 making [1] - 10:5 Many [1] - 13:14 many [4] - 10:16, 13:18, 13:20, 16:20 March [3] - 5:16, 6:4, 6:6 market [2] - 21:15, 21:24 marriage [1] - 25:14 MARY [1] - 1:19 Mary [1] - 5:25 matter [2] - 24:3, 25:16 May [2] - 1:4, 25:18 may [2] - 13:14, 23:9 maybe [2] - 16:9, 19:24 Mayor [2] - 4:18, 23:6 MAYOR [41] - 1:10, 2:2, 2:10, 2:14, 2:18, 2:22, 3:2, 3:6, 3:8, 3:12, 3:16, 3:18, 3:20, 3:24, 4:3, 4:7, 4:9, 4:17, 4:19, 5:6, 5:24, 6:25, 7:5, 7:8, 9:21, 10:16, 10:19, 10:23, 12:21, 13:2, 16:24, 17:9, 17:12, 17:18, 18:7, 19:16, 21:9, 22:23, 23:3, 23:20, 23:23 MCGILL [5] - 1:18, 6:14, 7:10, 10:25, 13:4 me [3] - 4:8, 19:17, 19:20 meantime [3] - 16:12, 22:11, 22:20 meet [2] - 9:9, 17:19 meeting [7] - 5:16, 5:21, 18:17, 19:2, 20:17, 22:16, 23:8 meetings [1] - 19:13 Melissa [1] - 5:5 member [2] - 2:4, 3:24 Member [2] - 1:12, 1:13 Mexican [1] - 4:11 MICHAEL [1] - 1:25 Mike [2] - 7:15, 13:9 MIKE [1] - 1:10 million [4] - 6:6, 8:17, 9:17, 11:9 Minutes [1] - 1:3 minutes [2] - 5:15, 5:25 mixture [2] - 18:9, 18:12 modern [2] - 15:18, 15:19 modest [2] - 11:24, 12:8</p>
		K	
		<p>Kathy [1] - 13:9 Kimball [2] - 4:22, 13:16 KIMBALL [6] - 1:11, 4:23, 7:4, 15:12, 15:17, 17:14 kind [2] - 18:8, 19:19 Kischak [1] - 5:4 know [12] - 5:19, 13:18, 17:22, 18:2, 19:13, 20:7, 20:16, 20:20, 20:23, 21:5, 21:12, 22:16 known [2] - 7:14, 13:15</p>	
		L	
		<p>labor [1] - 8:12 land [1] - 14:5 last [2] - 5:21, 17:8 late [2] - 5:7, 6:22 laundry [1] - 18:21 law [1] - 15:5 least [5] - 16:21, 17:7, 17:19, 22:13, 23:8 left [1] - 16:19 legal [2] - 23:3, 23:7 Leggiadro [2] - 23:8, 23:18 life [4] - 9:15, 12:9, 12:13, 20:2 lifts [1] - 20:24 like [1] - 20:11 litigation [1] - 13:22 live [2] - 10:3, 19:22 LLC [2] - 11:4, 13:8 lobby [1] - 18:25 local [4] - 8:17, 8:22, 11:15, 12:12 located [3] - 13:16, 14:10, 18:23 look [1] - 20:12 looking [5] - 2:8, 16:5, 16:8, 16:11, 16:21 lot [3] - 4:12, 19:4, 19:21 low [1] - 18:23 lower [3] - 16:10, 20:19,</p>	
I			
<p>I [58] - 1:16, 2:2, 2:7, 2:8, 2:16, 3:12, 3:14, 4:12, 5:6, 5:7, 5:10, 5:13, 5:18, 7:3, 7:18, 7:20, 10:10, 11:6, 15:9, 15:15, 15:20, 15:25, 17:4, 17:6, 17:7, 17:11, 17:21, 17:22, 18:2, 19:7, 19:10, 19:17, 19:19, 19:21, 20:5, 20:7, 20:16, 20:18, 20:23, 21:4, 21:7, 21:12, 21:15, 22:23, 22:24, 23:5, 23:7, 23:12, 23:15, 25:2, 25:7, 25:12, 25:14, 25:17 I'd [1] - 15:16 IDA [10] - 1:4, 1:18, 2:5, 3:25, 4:2, 9:23, 14:13, 15:4, 15:6, 22:7</p>			

<p>money [1] - 10:5 month [2] - 6:3, 6:23 more [9] - 9:6, 10:9, 11:24, 13:25, 15:18, 15:19, 21:14, 22:24 morning [1] - 5:12 Morningside [1] - 11:4 mortgage [4] - 14:14, 15:3, 22:8, 22:9 Mortgage [1] - 13:7 motion [5] - 5:17, 7:3, 10:20, 12:23, 23:20 Motor [1] - 5:11 move [3] - 7:17, 14:20, 16:9 MR [22] - 2:6, 2:12, 2:16, 2:20, 2:24, 3:4, 3:7, 3:10, 3:14, 3:17, 3:19, 3:22, 4:2, 4:5, 4:8, 4:15, 4:25, 5:3, 10:18, 13:11, 15:15, 23:5 MS [41] - 4:18, 4:20, 4:21, 4:22, 4:23, 4:24, 5:2, 5:4, 6:3, 6:10, 6:12, 6:14, 6:16, 6:17, 6:24, 7:3, 7:4, 7:10, 10:7, 10:25, 13:4, 15:12, 15:17, 15:19, 17:4, 17:11, 17:14, 17:16, 17:21, 18:8, 18:11, 18:16, 18:18, 19:2, 19:6, 19:7, 19:10, 19:15, 20:16, 21:17, 23:2 Ms [2] - 13:12, 15:10 much [1] - 2:7 my [5] - 4:3, 4:6, 14:17, 25:11, 25:18</p>	<p>22:23, 25:12 Notary [1] - 25:7 notes [1] - 25:11 nothing [1] - 22:4 number [3] - 14:3, 19:24, 22:18 Number [1] - 13:3</p>	<p>23:10, 25:14 order [1] - 22:6 other [8] - 6:25, 10:12, 12:21, 20:5, 20:24, 21:10, 22:12, 23:4 Our [1] - 6:5 our [11] - 2:4, 6:7, 9:25, 11:6, 16:13, 16:14, 16:16, 17:19, 20:6, 21:11, 21:19 out [3] - 5:13, 18:5, 22:17 outcome [1] - 25:15 over [7] - 8:16, 11:19, 12:6, 12:9, 13:12, 13:22, 15:10 overwhelming [1] - 20:3 own [1] - 8:20 owner [1] - 4:10</p>	<p>professionals [1] - 16:14 program [1] - 14:23 project [23] - 7:17, 7:25, 8:9, 8:20, 9:3, 9:8, 9:10, 9:19, 11:8, 11:14, 11:25, 12:20, 13:10, 14:9, 15:23, 17:17, 17:25, 20:22, 20:23, 21:11, 21:25, 22:15, 22:22 projects [1] - 20:24 property [8] - 8:25, 11:10, 11:18, 12:6, 12:11, 14:4, 22:10, 23:11 proposal [2] - 13:24, 14:2 proposals [1] - 21:20 proposed [3] - 14:8, 18:20, 21:7 proposing [2] - 17:16, 20:19 provide [3] - 10:9, 10:13, 18:16 provision [1] - 13:5 Public [1] - 25:7 purchase [5] - 16:12, 16:13, 22:5, 22:7, 22:21 purchasing [1] - 16:17 purpose [1] - 16:17 put [1] - 21:19 putting [1] - 17:23</p>
<p style="text-align: center;">N</p>	<p style="text-align: center;">O</p> <p>O [1] - 1:8 o'clock [3] - 5:9, 5:12, 20:19 obviously [1] - 17:3 OF [4] - 1:2, 1:2, 25:4, 25:5 Of [6] - 2:22, 2:24, 3:8, 3:10, 3:20, 3:22 of [84] - 1:3, 1:4, 2:4, 3:3, 3:5, 3:8, 3:10, 3:21, 3:23, 3:24, 4:3, 4:5, 4:11, 5:11, 5:13, 5:17, 5:21, 5:23, 6:3, 6:6, 6:23, 7:7, 8:4, 8:14, 8:20, 9:10, 9:14, 9:15, 9:23, 10:3, 10:4, 10:8, 10:22, 11:9, 11:11, 11:16, 11:17, 12:8, 12:9, 12:10, 12:13, 12:25, 13:5, 13:6, 13:14, 13:18, 13:19, 13:25, 14:11, 14:24, 15:7, 15:20, 15:22, 16:2, 16:10, 16:17, 16:22, 17:25, 18:5, 18:8, 19:4, 19:20, 19:21, 20:2, 20:13, 20:17, 20:23, 22:2, 22:15, 22:18, 23:10, 23:11, 23:14, 23:22, 25:8, 25:11, 25:13, 25:15, 25:18 off [1] - 5:14 offer [1] - 4:13 office [2] - 3:20, 3:22 Officer [1] - 1:19 Okay [3] - 5:25, 6:25, 18:7 old [3] - 5:8, 15:12, 17:8 On [3] - 6:12, 6:14, 6:17 on [22] - 4:13, 6:5, 6:8, 6:20, 7:23, 8:7, 8:10, 11:13, 12:3, 12:16, 14:10, 14:20, 16:18, 16:25, 19:20, 19:25, 22:8, 22:10, 22:19, 22:22, 23:8 once [1] - 16:13 one [12] - 9:23, 11:15, 14:3, 15:3, 15:18, 15:20, 18:9, 18:13, 20:20, 20:21, 23:5, 23:6 only [3] - 11:14, 14:14, 14:25 operations [1] - 11:17 opportunity [3] - 2:7, 4:16, 23:17 or [9] - 6:15, 15:13, 15:18, 18:4, 18:23, 18:24, 20:24,</p>	<p style="text-align: center;">P</p>	<p style="text-align: center;">Q</p>
<p>N [1] - 1:22 Nacerino [1] - 5:5 name [1] - 2:11 need [4] - 10:14, 19:19, 20:5, 22:24 needs [1] - 22:17 negatives [4] - 5:24, 7:8, 10:23, 13:2 neighborhood [1] - 12:15 Nepperhan [1] - 1:5 new [4] - 8:5, 8:14, 8:18, 11:20 NEW [2] - 1:2, 25:4 New [6] - 1:6, 3:3, 3:5, 14:24, 15:14, 25:8 newest [1] - 2:4 next [1] - 12:6 nice [1] - 18:25 no [1] - 25:15 none [1] - 12:22 nonunion [1] - 17:17 not [13] - 5:20, 7:19, 8:24, 11:14, 14:5, 15:15, 18:22, 19:18, 20:10, 21:4, 21:24,</p>	<p>off [1] - 5:14 offer [1] - 4:13 office [2] - 3:20, 3:22 Officer [1] - 1:19 Okay [3] - 5:25, 6:25, 18:7 old [3] - 5:8, 15:12, 17:8 On [3] - 6:12, 6:14, 6:17 on [22] - 4:13, 6:5, 6:8, 6:20, 7:23, 8:7, 8:10, 11:13, 12:3, 12:16, 14:10, 14:20, 16:18, 16:25, 19:20, 19:25, 22:8, 22:10, 22:19, 22:22, 23:8 once [1] - 16:13 one [12] - 9:23, 11:15, 14:3, 15:3, 15:18, 15:20, 18:9, 18:13, 20:20, 20:21, 23:5, 23:6 only [3] - 11:14, 14:14, 14:25 operations [1] - 11:17 opportunity [3] - 2:7, 4:16, 23:17 or [9] - 6:15, 15:13, 15:18, 18:4, 18:23, 18:24, 20:24,</p>	<p>P [1] - 1:22 packets [1] - 7:20 parcel [2] - 12:4, 14:16 parcels [1] - 8:23 parking [3] - 20:23, 20:25, 21:6 part [3] - 4:11, 5:20, 15:20 participation [1] - 20:13 parties [1] - 25:13 party [1] - 7:22 pass [1] - 19:18 passed [4] - 5:25, 7:9, 10:24, 13:3 past [2] - 20:9, 20:10 payment [2] - 6:22, 15:8 people [4] - 9:24, 10:2, 19:4, 19:22 percent [4] - 15:3, 15:13, 15:18, 22:3 permanent [2] - 8:13, 11:15 Pete [1] - 5:4 Peter [1] - 6:7 phase [1] - 8:20 phasing [1] - 12:7 Pier [1] - 6:11 PILOT [10] - 9:4, 9:5, 9:7, 9:11, 9:20, 11:23, 11:24, 12:5, 12:9, 12:20 Planning [1] - 16:16 planning [1] - 19:8 plans [1] - 17:24 PLAs [1] - 17:13 positive [1] - 8:6 possible [1] - 15:24 predominantly [1] - 18:13 preliminary [1] - 17:23 presentation [2] - 13:13, 15:11 presenting [1] - 16:15 previous [1] - 16:25 procured [2] - 7:22, 11:5</p>	<p>quality [3] - 9:15, 12:13, 19:25 questions [5] - 6:9, 7:2, 9:21, 12:22, 21:10 quick [1] - 23:6 quickly [1] - 15:24</p>
<p style="text-align: center;">R</p>	<p style="text-align: center;">R</p>	<p>R [3] - 1:8, 1:22, 25:2 Raise [1] - 2:10 rate [2] - 21:15, 21:24 reach [1] - 12:2 read [1] - 7:20 real [1] - 19:25 really [1] - 20:14 receive [1] - 9:11 received [2] - 6:4, 14:5 recommendation [3] - 9:18, 11:7, 12:19 Recording [1] - 13:7 recording [2] - 14:14, 15:4 rehabilitation [2] - 11:9, 12:10 related [1] - 25:13 remediation [2] - 14:21, 16:18 rendering [2] - 16:2, 16:7 report [2] - 7:19, 11:5</p>	<p style="text-align: center;">R</p> <p>R [3] - 1:8, 1:22, 25:2 Raise [1] - 2:10 rate [2] - 21:15, 21:24 reach [1] - 12:2 read [1] - 7:20 real [1] - 19:25 really [1] - 20:14 receive [1] - 9:11 received [2] - 6:4, 14:5 recommendation [3] - 9:18, 11:7, 12:19 Recording [1] - 13:7 recording [2] - 14:14, 15:4 rehabilitation [2] - 11:9, 12:10 related [1] - 25:13 remediation [2] - 14:21, 16:18 rendering [2] - 16:2, 16:7 report [2] - 7:19, 11:5</p>

<p>representations [1] - 14:18 request [2] - 9:4, 11:22 requested [2] - 7:24, 9:3 require [1] - 20:13 requirements [1] - 22:2 residents [1] - 12:14 resolution [4] - 7:11, 7:12, 11:2, 13:5 Resolutions [1] - 7:10 result [1] - 8:4 resulting [2] - 11:20, 12:8 retaining [1] - 8:10 return [2] - 12:2, 15:6 returned [1] - 23:15 returns [1] - 9:9 revenue [1] - 8:25 revenues [2] - 8:8, 9:11 right [3] - 2:10, 5:13, 19:16 River [2] - 13:8, 20:3 Road [1] - 20:4 Roberto [4] - 2:3, 2:12, 5:2, 5:19 ROCKLAND [1] - 25:5 Roll [1] - 4:17 room [4] - 18:17, 19:2, 19:12 rooms [1] - 18:21 ROTHMAN [1] - 1:24 rumbling [1] - 19:21 run [1] - 11:6</p>	<p>site [10] - 8:10, 13:15, 13:18, 14:10, 14:22, 16:2, 16:19, 16:23, 16:25, 17:3 Sixty [1] - 10:18 Sixty-three [1] - 10:18 slight [1] - 6:21 So [3] - 4:7, 4:8, 14:25 so [17] - 4:13, 5:10, 5:13, 5:21, 7:20, 9:22, 10:3, 10:13, 11:6, 14:14, 15:9, 15:22, 20:7, 20:15, 20:25, 21:4, 22:15 solemnly [2] - 2:14, 2:16 some [6] - 13:22, 18:5, 18:13, 20:23, 21:10, 23:9 somebody [1] - 4:10 something [2] - 19:3, 21:23 son [1] - 5:8 sorry [2] - 17:11, 23:6 space [3] - 14:12, 18:17, 18:24 spaces [1] - 21:7 SPANO [41] - 1:10, 2:2, 2:10, 2:14, 2:18, 2:22, 3:2, 3:6, 3:8, 3:12, 3:16, 3:18, 3:20, 3:24, 4:3, 4:7, 4:9, 4:17, 4:19, 5:6, 5:24, 6:25, 7:5, 7:8, 9:21, 10:16, 10:19, 10:23, 12:21, 13:2, 16:24, 17:9, 17:12, 17:18, 18:7, 19:16, 21:9, 22:23, 23:3, 23:20, 23:23 Spano [1] - 4:18 speak [2] - 17:21, 23:17 spending [3] - 8:5, 8:15, 11:17 spillover [3] - 8:13, 8:21, 11:21 square [1] - 14:11 SS [1] - 25:4 staff [3] - 7:19, 11:7, 23:16 stages [1] - 17:23 start [2] - 5:14, 22:14 started [1] - 15:23 starting [3] - 9:12, 16:17, 17:24 State [5] - 2:11, 3:3, 3:5, 14:24, 25:8 STATE [2] - 1:2, 25:4 statement [3] - 6:12, 6:15, 6:18 States [2] - 2:23, 2:25 stenographic [1] - 25:11 still [3] - 9:7, 11:25, 21:9 stimulus [1] - 12:11 stone [1] - 22:4 stories [1] - 16:10 story [3] - 16:7, 20:20, 20:21 studios [1] - 18:15</p>	<p>substantial [1] - 22:9 summary [1] - 8:2 sunsetting [1] - 15:21 support [2] - 2:18, 2:20 swear [2] - 2:15, 2:17</p>	<p>16:10, 16:12, 16:15, 16:16, 16:18, 16:22, 16:25, 17:8, 17:10, 17:13, 17:15, 17:23, 17:24, 18:4, 18:22, 18:23, 19:4, 19:10, 19:20, 19:22, 19:23, 19:25, 20:2, 20:9, 20:10, 20:17, 20:20, 20:24, 21:2, 21:25, 22:2, 22:5, 22:6, 22:7, 22:8, 22:10, 22:11, 22:12, 22:13, 22:14, 22:15, 22:16, 22:18, 22:19, 22:21, 23:7, 23:8, 23:11, 23:13, 23:15, 23:16, 24:2, 25:8, 25:10, 25:13, 25:15 The [20] - 1:4, 3:2, 3:4, 3:18, 3:19, 6:16, 7:9, 7:11, 8:2, 8:9, 9:5, 10:24, 10:25, 12:3, 12:10, 13:24, 14:22, 15:19, 20:5, 23:6 Theater [1] - 13:16 their [1] - 14:5 them [2] - 17:22, 20:7 then [2] - 6:20, 6:22 There [5] - 13:20, 13:22, 18:21, 21:9, 23:9 there [8] - 6:21, 6:22, 18:2, 18:12, 18:19, 21:6, 23:9, 23:10 these [2] - 9:23, 12:16 They [2] - 5:16, 20:19 they [9] - 14:6, 14:15, 14:18, 14:19, 18:3, 19:24, 20:16, 23:18 thing [2] - 14:25, 20:5 things [1] - 9:23 think [5] - 4:12, 10:10, 15:9, 15:20, 17:6 third [1] - 7:22 This [10] - 8:13, 9:3, 9:22, 11:8, 15:5, 15:25, 16:4, 20:22, 21:10, 21:13 this [35] - 2:7, 5:12, 5:20, 7:24, 8:20, 9:16, 9:22, 9:25, 10:17, 11:6, 11:14, 11:25, 12:3, 12:10, 12:18, 13:18, 14:25, 15:9, 15:22, 15:25, 16:6, 16:7, 17:2, 17:3, 18:17, 18:18, 19:18, 20:8, 20:9, 21:7, 21:15, 21:16, 25:13, 25:16, 25:18 thousand [1] - 14:11 three [3] - 10:18, 13:3, 18:14 through [4] - 7:18, 11:6, 17:2, 22:12 throughout [1] - 18:22 time [4] - 13:21, 15:9, 21:7, 23:13</p>
<p>S</p>		<p>T</p>	
<p>S [2] - 1:16, 1:22 sale [3] - 23:10, 23:11, 23:14 sales [4] - 8:17, 8:22, 11:20, 15:7 savings [1] - 12:8 say [2] - 17:6, 17:7 Second [1] - 7:4 second [2] - 10:25, 14:4 Seconded [1] - 7:5 seconded [3] - 5:18, 10:20, 12:23 Secretary [1] - 1:11 see [3] - 10:8, 16:8, 21:22 seems [2] - 21:13, 21:14 self [1] - 20:23 self-parking [1] - 20:23 set [2] - 22:4, 25:18 seven [1] - 17:8 show [1] - 14:7 shows [1] - 8:2 since [2] - 13:21, 23:12 SINGER [12] - 1:12, 4:21, 6:10, 6:16, 6:24, 7:3, 10:7, 18:8, 18:16, 19:2, 19:7, 19:15 Singer [1] - 4:20</p>		<p>T [4] - 1:16, 1:22, 25:2 take [2] - 5:10, 5:11 taking [1] - 21:5 Tax [1] - 13:7 tax [6] - 8:25, 14:14, 15:4, 15:7, 15:8, 22:8 taxes [3] - 12:3, 12:6, 12:7 taxpayer [1] - 10:5 tenant [3] - 8:5, 8:15, 11:17 terminated [1] - 23:14 terms [2] - 10:4, 17:25 Thank [7] - 2:6, 2:9, 4:15, 6:24, 19:15, 23:2, 23:23 that [47] - 5:21, 6:19, 7:21, 8:2, 9:6, 9:16, 10:2, 10:10, 11:21, 11:23, 12:17, 13:21, 13:24, 14:15, 14:17, 14:18, 14:23, 14:25, 15:4, 15:21, 16:25, 17:6, 17:22, 18:12, 18:20, 19:3, 19:9, 19:12, 19:22, 19:24, 20:8, 20:12, 21:3, 21:5, 21:19, 21:22, 21:23, 22:9, 22:13, 22:17, 22:19, 22:22, 23:12, 23:13, 25:12, 25:14 That [1] - 25:10 that's [1] - 17:6 the [169] - 2:5, 2:18, 2:20, 2:22, 2:24, 3:3, 3:5, 3:6, 3:7, 3:8, 3:10, 3:20, 3:22, 3:25, 4:3, 4:5, 4:11, 4:16, 5:11, 5:15, 5:16, 5:25, 6:2, 6:3, 6:11, 6:14, 6:17, 6:18, 6:19, 6:20, 6:21, 6:23, 7:12, 7:17, 7:18, 7:23, 8:2, 8:4, 8:7, 8:12, 8:14, 8:19, 8:23, 8:25, 9:4, 9:6, 9:8, 9:10, 9:11, 9:14, 9:18, 9:19, 9:23, 9:24, 10:2, 10:8, 10:10, 10:14, 11:9, 11:13, 11:17, 11:22, 12:6, 12:9, 12:12, 12:13, 12:15, 12:17, 12:18, 12:19, 12:20, 13:5, 13:6, 13:8, 13:10, 13:15, 13:16, 14:2, 14:4, 14:6, 14:10, 14:13, 14:16, 14:19, 14:20, 14:22, 14:24, 14:25, 15:2, 15:4, 15:5, 15:6, 15:12, 15:13, 15:17, 15:18, 15:20, 15:22, 15:23, 16:2,</p>	

<p>to ^[85] - 2:2, 2:3, 2:8, 4:12, 4:13, 5:9, 5:10, 5:11, 5:14, 6:19, 6:20, 7:18, 7:20, 7:21, 8:11, 8:16, 9:8, 9:13, 9:18, 9:24, 10:5, 10:8, 10:9, 10:13, 11:6, 11:11, 11:25, 12:12, 12:18, 12:19, 13:12, 13:13, 14:3, 14:7, 14:19, 14:20, 15:6, 15:10, 15:16, 15:22, 15:23, 16:8, 16:9, 16:10, 16:11, 16:15, 16:18, 16:21, 17:6, 17:7, 17:18, 17:20, 18:2, 19:4, 19:17, 19:18, 19:19, 20:6, 20:11, 20:19, 20:20, 20:22, 21:4, 21:13, 21:14, 21:22, 21:24, 22:5, 22:6, 22:7, 22:12, 22:14, 22:17, 22:23, 23:17, 23:18, 25:13</p> <p>To ^[4] - 2:18, 2:20, 4:3, 4:5</p> <p>today ^[3] - 5:8, 19:19, 20:17</p> <p>together ^[1] - 17:24</p> <p>too ^[1] - 20:5</p> <p>trades ^[5] - 17:10, 17:13, 17:19, 20:6, 22:16</p> <p>traffic ^[2] - 20:2, 21:4</p> <p>transcription ^[1] - 25:11</p> <p>troubled ^[1] - 13:19</p> <p>true ^[1] - 9:24</p> <p>try ^[3] - 15:23, 17:19, 22:5</p> <p>trying ^[1] - 21:22</p> <p>turn ^[2] - 13:12, 15:10</p> <p>turned ^[1] - 5:8</p> <p>two ^[4] - 5:15, 11:20, 18:10, 18:14</p> <p>type ^[2] - 18:5, 20:12</p>	<p style="text-align: center;">V</p> <p>vacant ^[1] - 11:10</p> <p>variance ^[3] - 6:11, 6:18, 6:21</p> <p>Vehicles ^[1] - 5:12</p> <p>very ^[5] - 2:6, 10:14, 19:3, 21:13, 23:6</p> <p>Very ^[1] - 13:11</p> <p>viable ^[2] - 9:8, 11:25</p> <p>vote ^[1] - 5:20</p>	<p>13:15, 14:10, 16:22, 17:3, 17:10, 17:13, 17:15, 17:19, 17:20, 17:22, 18:4, 20:7, 21:25, 22:16, 23:17</p> <p>Within ^[1] - 6:3</p> <p>within ^[4] - 8:12, 10:14, 18:17, 25:8</p> <p>WITNESS ^[1] - 25:17</p> <p>work ^[3] - 9:25, 21:18, 21:20</p> <p>workforce ^[1] - 11:11</p> <p>working ^[8] - 2:8, 9:22, 16:15, 18:5, 22:11, 22:14, 22:17, 22:19</p> <p>would ^[16] - 9:11, 12:5, 14:13, 15:2, 15:5, 18:12, 19:7, 19:8, 20:11, 20:14, 21:3, 21:23, 22:10, 22:11, 22:14</p> <p>written ^[1] - 5:10</p>
<p style="text-align: center;">U</p> <p>under ^[3] - 15:5, 16:22, 22:6</p> <p>understanding ^[1] - 14:17</p> <p>union ^[2] - 17:15, 18:4</p> <p>unit ^[3] - 14:9, 16:4, 17:5</p> <p>United ^[2] - 2:22, 2:24</p> <p>units ^[5] - 10:16, 11:11, 18:12, 21:14, 22:18</p> <p>until ^[2] - 5:9, 22:20</p> <p>up ^[4] - 6:23, 17:20, 21:4, 22:24</p> <p>update ^[1] - 23:7</p> <p>updates ^[1] - 23:4</p> <p>upon ^[1] - 14:18</p> <p>Upon ^[1] - 9:10</p> <p>uptick ^[1] - 19:23</p> <p>us ^[1] - 22:14</p> <p>use ^[3] - 10:3, 14:5, 15:25</p>	<p style="text-align: center;">W</p> <p>wait ^[1] - 5:9</p> <p>want ^[7] - 2:2, 7:18, 11:6, 15:22, 17:6, 20:14, 22:5</p> <p>wanted ^[1] - 22:7</p> <p>was ^[10] - 6:22, 9:6, 13:20, 16:24, 17:5, 23:9, 23:10, 23:14, 23:15</p> <p>way ^[6] - 11:16, 15:7, 16:22, 21:3, 22:6, 25:15</p> <p>We ^[18] - 5:17, 7:15, 7:16, 7:22, 9:4, 11:5, 11:22, 13:9, 16:3, 16:8, 17:2, 17:16, 19:18, 20:9, 20:12, 20:13, 21:20, 21:21</p> <p>we ^[35] - 4:13, 5:14, 6:4, 6:7, 7:17, 7:19, 10:4, 10:10, 13:12, 15:21, 15:22, 16:9, 16:11, 16:13, 16:21, 17:22, 17:25, 20:8, 20:11, 20:14, 20:25, 21:2, 21:12, 21:18, 21:19, 22:5, 22:7, 22:9, 22:10, 22:11, 22:18, 22:20, 22:21, 23:20</p> <p>well ^[1] - 9:5</p> <p>were ^[1] - 5:20</p> <p>WestHab ^[1] - 7:14</p> <p>What ^[4] - 14:8, 14:13, 16:24, 18:8</p> <p>what ^[7] - 10:4, 13:15, 13:23, 17:25, 18:2, 21:12, 23:18</p> <p>Where ^[2] - 17:9, 17:12</p> <p>WHEREOF ^[1] - 25:17</p> <p>Whereupon ^[1] - 24:2</p> <p>which ^[4] - 7:19, 8:15, 9:24, 16:5</p> <p>who ^[3] - 2:4, 4:11, 5:8</p> <p>Will ^[1] - 18:16</p> <p>will ^[13] - 3:12, 3:14, 5:19, 11:14, 12:14, 15:10, 15:25, 17:21, 18:9, 19:11, 19:24, 21:7, 23:15</p> <p>Wilson ^[4] - 4:22, 5:18, 7:6, 23:21</p> <p>WILSON ^[1] - 1:11</p> <p>with ^[18] - 2:9, 9:19, 12:20,</p>	<p style="text-align: center;">X</p> <p>X ^[2] - 1:3, 1:6</p> <p style="text-align: center;">Y</p> <p>year ^[9] - 6:20, 9:4, 9:7, 9:19, 11:23, 11:24, 12:5, 12:20, 15:22</p> <p>years ^[7] - 5:8, 9:5, 12:7, 13:20, 16:20, 17:5, 17:8</p> <p>Yes ^[1] - 19:6</p> <p>yes ^[1] - 19:14</p> <p>yet ^[1] - 21:21</p> <p>YONKERS ^[1] - 1:2</p> <p>Yonkers ^[9] - 1:4, 1:6, 3:9, 3:11, 3:25, 4:2, 13:17, 16:6, 22:2</p> <p>YORK ^[2] - 1:2, 25:4</p> <p>York ^[6] - 1:6, 3:3, 3:5, 14:25, 15:14, 25:8</p> <p>you ^[36] - 2:6, 2:9, 4:7, 4:13, 4:15, 5:19, 5:20, 6:10, 6:24, 7:21, 13:14, 13:18, 13:23, 13:25, 14:7, 15:11, 17:9, 17:12, 17:18, 18:9, 18:16, 19:8, 19:12, 19:13, 19:15, 19:17, 19:19, 20:5, 20:20, 21:5, 22:15, 22:24, 23:2, 23:23</p> <p>You ^[1] - 2:14</p> <p>your ^[4] - 2:10, 2:11, 7:20, 19:8</p> <p style="text-align: center;">Z</p> <p>Zoning ^[1] - 16:15</p> <p style="text-align: center;">◦</p> <p>° ^[4] - 24:5</p>