

CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY RESOLUTION APPROVING ITS
STATE DISASTER EMERGENCY LOAN AWARD

A regular meeting of the City of Yonkers Industrial Development Agency was convened on October 28, 2020.

The following resolution was duly offered and seconded, to wit:

Resolution No. 10/2020-17

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 83 of the Laws of 1982 of the State of New York, as amended (hereinafter collectively called the “Act”), the CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY (the “Agency”) was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, the novel coronavirus, COVID-19, is a pandemic disease characterized as a severe acute respiratory syndrome (the “COVID-19 Pandemic”); and

WHEREAS, the COVID-19 Pandemic and directives issued by the State of New York (the “State”) to reduce transmission has negatively impacted the State’s economy and caused financial hardship to businesses, including those businesses in the City of Yonkers; and

WHEREAS, on June 17, 2020, the Governor, signed into law Chapter 109 of the Laws of 2020 (“S8181A”), which amends certain sections of the Act to allow industrial development agencies in the State, including the Agency, to provide financial assistance in the form of loans and/or grants to eligible small businesses and not-for-profit corporations in an effort to alleviate the financial hardship causes by the COVID-19 pandemic; and

WHEREAS, pursuant to S8181A the Agency may provide loans (the “State Disaster Emergency Loan”) to eligible small businesses and not-for-profit corporations with no more than fifty (50) employees in an amount not to exceed \$25,000.00 (the “State Disaster Emergency Loan Program”); and

WHEREAS, the Agency published an application for the State Disaster Emergency Loan Program; and

WHEREAS, Agency staff has reviewed the applications filed in connection with the State Disaster Emergency Loan Program and has made certain State Disaster Emergency Loan award recommendations to the Board of Directors of the Agency; and

WHEREAS, the Board of Directors of the Agency desire to award State Disaster Emergency Loans, as recommended by Agency staff and reviewed by the Board of Directors of the Agency; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE AGENCY THAT:

Section 1. The Board of Directors of the Agency award a State Disaster Emergency Loan to the following applicants (“Borrowers”) in the following amounts:

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Resolution: IDA SDE Loan Award
TC: Harris Beach PLLC
October 28, 2020

<u>Borrower Name</u>	<u>Borrower Amount</u>
A. Zaya Ice Cream Corp.	\$25,000.00
Bougie Brews	\$10,000.00
El Poblano Café Inc.	\$25,000.00
Lashays Construction and Development Co. Inc.	\$25,000.00
Manor Bagels Café	\$25,000.00
Pollo Poblano	\$25,000.00
Public Pizza Italian Kitchen and Wine Bar	\$25,000.00
Ron's Trucking Company	\$25,000.00
<u>Borrower Name (contd.)</u>	<u>Borrower Amount</u>
Scared Seeds Enterprises LLC	\$25,000.00
Shreebalajee Corp.	\$25,000.00
Smart Moving & Storage Inc.	\$25,000.00
Tacos El Poblano Inc.	\$25,000.00

Section 2. As a condition of receipt of State Disaster Emergency Loan funds, the Borrowers agree to enter into a Loan Agreement, Loan Guaranty and such other agreements, instruments and certificates as required by the Agency memorializing the terms of the State Emergency Disaster Loan.

Section 3. The members, representatives, counsel and consultants of the Agency are hereby authorized and directed to take all actions deemed appropriate to effectuate the State Disaster Emergency Loan and administer the State Disaster Emergency Loan Program, subject to the approval of counsel, and to do and cause to be done any all acts and things necessary and proper for carrying out the transaction contemplated by this resolution, said execution being conclusive evidence of such approval.

Section 4. This resolution shall take effect immediately.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Mayor Mike Spano*	[✓]	[]	[]	[]
Peter Kischak	[]	[]	[]	[x]
Melissa Nacerino	[✓]	[]	[]	[]
Hon. Cecile D. Singer	[✓]	[]	[]	[]
Henry Djonbalaj	[✓]	[]	[]	[]
Roberto Espiritu	[✓]	[]	[]	[]

The Resolutions were thereupon duly adopted.

***N.B.: Prior to the adoption of the Resolution, the Chair disclosed that the principal of Smart Moving & Storage Inc. was a former brother in law and a sister of the Chair was employed by Shreebalajee Corp. To avoid the appearance of impropriety, the Chair recused himself from voting for that portion of the Resolution which provided an award to Smart Moving & Storage and Shreebalajee Corp. With regard to all other awards, the Chair voted in the affirmative.**

CERTIFICATION

(State Disaster Emergency Loan and Grant Program-October Loans)

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

I, Cecile Singer the undersigned, Secretary of the City of Yonkers Industrial Development Agency DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the City of Yonkers Industrial Development Agency (the “Agency”), including the resolution contained therein, held October 28, 2020, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law) and Executive Order 202 of 2020, as amended (“Executive Order”), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7 and the Executive Order.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this 15th day of December, 2020.



Cecile Singer, Board Member

[SEAL]