STATE OF NEW YORK
CITY OF YONKERS

Minutes of
The City of Yonkers IDA Regular Meeting
May 25, 2023 - 1:00 P.M.
At
470 Nepperhan Avenue, Suite 200
Yonkers, New York 10701-3892


B E F O R E:

MAYOR MIKE SPANO - Chairperson
MARLYN ANDERSON - Secretary
CECILE SINGER - Member
MELISSA NACERINO - Treasurer
VICTOR GJONAJ - Member
HENRY DJONBALAJ - Member
ROBERTO ESPIRITU - Member
I D A
S TA F F:

JAIME MCGILL - IDA Executive Director
JIM CAVANAUGH - IDA President \& CEO
SIBY OOMMEN - IDA/YEDC Chief Fiscal Officer LARRY SYKES - IDA Counsel
Michael Curti, Esq. - Harris Beach PLLC

OTHER ATTENDEES:

- John B. Saraceno - Trinity Management (345 McLean)
- Jim Surdoval - Ginsburg Development Co. (150 Downing)
- Steve Accinelli, Esq. - Veneruso Curto Schwartz \& Curto LLP
- Aaron Levy - Rose Assoicates
- Brad Schwartz, Esq. - Zarin \& Steinmetz LLP


## MEETING

MR. OOMMEN: Good afternoon.
I'll begin with roll call. Mayor Mike Spano?

MAYOR SPANO: Here.
MR. OOMMEN: Marlyn Anderson?
MS. ANDERSON: Here.
MR. OOMMEN: Melissa Nacerino?
MS. NACERINO: Here.
MR. OOMMEN: Cecile Singer?
MS. SINGER: Here.
MR. OOMMEN: Henry Djonbalaj?
MR. DJONBALAJ: Here.
MR. OOMMEN: Roberto Espiritu?
MR. ESPIRITU: Here.
MR. OOMMEN: Victor Gjonaj?
MR. GJONAJ: Here.
MR. OOMMEN: Mayor, we have a quorum.

MAYOR SPANO: Okay, good.
Let's go to item 2, which is -- good afternoon everyone. We have the minutes for the meeting of March $30 t h$, also the minutes for the 27 th of this year, 2023 . Everyone

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has those minutes in front them. Are there any questions, additions, corrections, anything? Hearing none.

Someone want to make --
Cecile's making a motion we accept those minutes, seconded by Henry. All in favor?
(A chorus of ayes.)
MAYOR SPANO: Any negatives?
The item is passed.
All right. Number 3 .
MR. OOMMEN: For the month of
April the IDA received $\$ 22,500$ in agency fees. Our money market saving account generated $\$ 12,228$ in interest income. Our cash on hand at the end of April was $\$ 4.6$ million. Thank you.

MAYOR SPANO: Thank You. Are there any questions?

MS. SINGER: Yes, on the pension cost, what is the differential?

MR. OOMMEN: The differential

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in the pension cost?
MS. MCGILL: On the monthly or annual?

MR. OOMMEN: Monthly or annual?
MS. SINGER: There's a
differential.
MR. OOMMEN: Was that for the monthly or for the annual?

MS. SINGER: What is it the result of?

MR. OOMMEN: Well, pension costs increased.

MS. MCGILL: And sometimes there's a delay, so sometimes unless we get the bill, it doesn't actually go over to the State until the following month, so you'll get it reported twice in a month because of the delay in sending over the transfer.

MS. SINGER: Thank you.
MAYOR SPANO: AnY other
questions? Okay. Make a motion?
Henry has made a motion, seconded by?

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MS. NACERINO: Second.
MAYOR SPANO: Melissa. All in
favor?
(A chorus of ayes.)
MAYOR SPANO: Any negatives?
Hearing none. The item is passed.
Okay. Number 4 .
MS. MCGILL: Mayor, we've had a request to just go out of order today, so we're going take items 4 and 5 up before the others, if you don't mind.

MAYOR SPANO: Sure.
MS. MCGILI: Okay. So the first item is a resolution for sales and use tax exemption for Miroza Tower. We do have a representative here, Brad Schwartz from Zarin \& Steinmetz to give an update on the project.

MR. SCHWARTZ: Good afternoon, everyone. Brad Schwartz from the Law firm of Zarin \& Steinmetz, here this afternoon on behalf of Miroza Tower

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LLC, Azorim. That's a project at 44 Hudson Street, 250 residential units, 25 affordable.

We're here for an initial sales tax exemption request. This is a project that's been fully approved by the Planning Board and Zoning Board. The IDA granted preliminary inducement about a year and a half ago. Again, this is for initial sales tax exemption of about \$15 million, and that's critical to ensure the ongoing viability of the project.

It's under construction. I was just given these pictures of the morning in the current hole in the ground. The excavation is well underway, is expected to be completed shortly, at which the point the foundation will be poured and the vertical construction will begin. And this is a rendering of the project itself.

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Again, this is just for initial sales tax. We anticipate coming back early next year for mortgage tax exemption and PILOT and additional sales tax, but this first request is for $\$ 50$ million of sales tax exemption.

MAYOR SPANO: Any questions?
MR. CURTI: Mayor, just a note for the record, please, to the chair, that there is a cost-benefit analysis that's included in all of your packets since we are providing some preliminary financial assistance.

MS. MCGILL: We did do a partial, a brief memo on the partial analysis, and the findings were that the preliminary sales tax exemption being provided by the IDA has no fiscal effects on the City, because without the sales tax there would be no exemption, or without exemption there would be no materials purchased, so there's no negative

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impact to the City.
MAYOR SPANO: Prevailing wage?
Are you guys working with our trades guys at all?

MR. SCHWARTZ: SO I know
they're using local folks. I don't know prevailing wage.

MR. CURTI: Prevailing wage I can answer, Mayor. So as of right now, because the amount of financial assistance that we're providing them is far below the actual project costs, my assumption is the project costs are about a hundred million dollars or so. It's way more than the 30 percent threshold. However, we'll be monitoring it. They'll be coming back here for mortgage recording tax exemption, initial sales tax, and also a PILOT. So in the event that they are above that 30 percent threshold, they will be required to comply with prevailing wage.

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MAYOR SPANO: Are You willing to just indulge me and meet with our trades guys?

MR. SCHWARTZ: I can certainly carry that back to the client, sure.

MAYOR SPANO: I appreciate that.

Any other questions? Hearing no questions. Someone want to make a motion?

MR. ESPIRITU: I'll make a motion.

MAYOR SPANO: Roberto's made a motion, seconded by Cecile. All in favor?
(A chorus of ayes.)
MAYOR SPANO: Item is passed -sorry. Any negatives? Hearing none. The item is passed.

MR. SCHWARTZ: Thank you.
MAYOR SPANO: Thank You.
MS. MCGILL: You can stay there because we're going to the next one.

So our next item is resolution
for sales and use tax exemption benefit increase for 57 Alexander. Brad Schwartz who also representing this project.

MR. SCHWARTZ: Again, good afternoon. Just for the record, Brad Schwartz of Zarin \& Steinmetz. I'm joined by Aaron Levy, 57 Alexander Developer LLC, proposed associates for the project at 57 Alexander Street. It's a 440-unit residential rental project that's well under construction. I don't have similar pretty pictures on this one, but it is under construction, and we're here today for an extension on the sales tax exemption for the end of this year, as well as an increase of \$1.4 million.

The IDA had fully approved this project, both mortgage tax sales and PILOT, and the reason for the request is all the topics we know, about the increasing cost due to supply chain

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disruption, and labor shortage, and just the market correcting itself post-pandemic. The public hearing I believe was conducted and we're here today again for the Board's approval.

MAYOR SPANO: I might join you. Where is this, Rose?

MS. MCGILL: Down here next to

MR. SCHWARTZ: Yeah, this is Rose.

MR. CURTI: Rose, Yes.
MAYOR SPANO: Oh, okay. I
mean, I've seen the sign up, so you're opening soon.

MR. LEVY: Yeah, so we're actually -- we've turned the first through sixth floor, we expect a -on the south tower. We expect a TCo today. So to market we have approximately a hundred units, you know, as of this TCO today. So the Alexander Street is all complete landscape, the south entrance or
south aisle back to the waterfront's also complete.

MAYOR SPANO: And what about the waterfront, the --

MR. LEVY: The waterfront amenity is on its way to being complete. There is a specific material, it's a lightweight fill that needs to be put in the back, and because we still have traffic going over it and that's how we're entering into the building, it's the very last thing to happen because we'll destroy the material.

MAYOR SPANO:GOt it. Have you guys worked out with the County yet how you're going to connect to county property?

MR. LEVY: Yes, so we - -
MAYOR SPANO: Because I don't want you to come back to Alexander. MR. LEVY: Yeah, correct. So the County doesn't want the connection, and $I$ believe they sent
in an email to the Planing Board, the Planning Board's changing the resolution to not make the connection because the County is planning on doing some work on their property and they want to make the connection at that time. So we'll be up to the fence line with the gate. There just won't be a physical walkway on their property.

MAYOR SPANO: That's
inconsistent with my conversation with the County Executive, so we have to get up to date.

MR. LEVY: I believe we just got a email that it was changed on the Planning Board resolution. I'm not positive, though.

MAYOR SPANO: It's really
important that --
MR. LEVY: The connection.
MAYOR SPANO: Yeah. Well,
that's the whole idea, is to have that waterfront amenity that everyone
can enjoy and --
MR. LEVY: So by all means, we're prepared to do it,if we have the budget, we bought the contract. They just physically won't let us go on the property to make the connection.

MAYOR SPANO: We even put half a million dollars in the budget to help the county get that done because I was afraid that was going to happen.

MR. CAVANAUGH: For the boat club property, is that what you're talking about?

MAYOR SPANO: Yeah, yeah.
MS. ANDERSON: Is that part of the --

MAYOR SPANO: Well, the boat club and then the other side where their connection's supposed to be, you know, the path is supposed to continue right along the water's edge.

MS. ANDERSON: Is that where

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the $B$ dock too, down there?
MAYOR SPANO: Yes, that's the project --

MS. ANDERSON: Yeah. So the last conversation with the county was that that strip was part of a larger - they showed us a screenshot. They plan to redevelop that whole park, and they showed us a template of it, and they said --

MAYOR SPANO: I would like to see it.

MS. ANDERSON: So they would not let us show it to you, they said it wasn't for distribution. But they said they wanted to hold back on -because we told them about your interest. They said they wanted to hold back until a larger plan was developed like they said -- they had a plan. Actually, they have a mock up of it. So yeah, you have to probably talk to them and see -- they didn't give us a date. They won't say when

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they're going to start.
MAYOR SPANO: Okay. We have to talk to the County.

MR. LEVY: And if we'restill on site, we're more than prepared to do it.

MAYOR SPANO: I appreciate that, thank you.

MR. LEVY: Yeah, yeah, absolutely.

MAYOR SPANO: All right. Any other questions?

MR. CURTI: Mayor, there is also a cost-benefit analysis for this.

MAYOR SPANO: Yes.
MS. MCGILL: So again, we did a partial cost-benefit analysis on the additional sales tax exemption. The result wasthat it only modestly decreases the fiscal benefit to the City, and it reduces the cost-benefit ratio from $\$ 3.06$ for every dollar of benefit provided by the IDA to \$2.92

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of benefit to the City of Yonkers for every dollar spent.

MR. CURTI: That's still very healthy.

MS. MCGILI: Yes, so it has a positive physical impact on the City, and the recommendation is to approve the additional sales tax exemption.

MAYOR SPANO: AnY other questions?

MS. ANDERSON: These are rental properties as well?

MAYOR SPANO: Yes.
MR. LEVY: Yes.
MAYOR SPANO: You can tell that we have our 4 th of July celebration set up.

MR. LEVY: Perfect.
MAYOR SPANO: We'd like to be on that water's edge if you can, but I think it's going to be a great selling point for you.

MR. LEVY: Yeah, we're excited.
MAYOR SPANO: Yeah. Thanks.

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It's beautiful.
MR. LEVY: Thank you
MAYOR SPANO: From my vantage point.

MR. LEVY: Yeah, yeah. We'd love to give anybody a tour who's interested whenever.

MAYOR SPANO: We're definitely going to want that.

MR. LEVY: Perfect.
MAYOR SPANO: Thank YOu. Nice job.

MS. SINGER: Resolution?
MAYOR SPANO: Yes, resolution.
Cecile made a motion, seconded by Melissa. Actually, Marlyn. I skipped Marlyn twice. All in favor?
(A chorus of ayes.)
MAYOR SPANO: Any negatives?
Hearing none. The item is passed.
MR. LEVY: Thank you. Have a good holiday weekend, everyone.

MR. SCHWARTZ: Thank you.
MS. MCGILL: Our next item is a

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final resolution for Verus
Development LLC located at 345 McLean Avenue. We have John Saraceno here from the project.

MAYOR SPANO: Hey, John.
MR. SARACENO: Hey, how are you?

MAYOR SPANO: Any questions?
MR. SARACENO: Just to refresh
everyone's memory, it's a 12-story building, $105-u n i t$ affordable senior
housing on McLean Avenue just -- I don't want to say south, $I$ guess west of the Saw Mill.

MAYOR SPANO: We know --
MR. SARACENO: We're excited about it.

MAYOR SPANO: Are there any questions?

MR. CURTI: We do have a cost-benefit analysis, Mayor.

MAYOR SPANO: Okay.
MS. MCGILL: So, again, we have a summary of the third-party fiscal and

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impact analysis, which concludes that the financial assistance is necessary for the financial feasibility of the project and without it the project would not be built. The benefit proposed will allow the project to be constructed while still delivering a modest return on their investment. Project has requested a PILOT and does not require or is not requesting mortgage recording or sales tax abatement from the IDA as that is provided by HDFC.

The construction phase of the project will generate 265 direct projects, 36 indirect and induced jobs -- I'm sorry, 265 direct jobs, 36 indirect and induced jobs, and add \$37.4 million to the City's economy, while the annual operations of the project will generate three full-time jobs on site, three full-time contracted jobs, which are supportive staff for residents, and produce four
to five induced jobs as a result of the operations and new household spending.

This operational phase will add \$1.3 million annualy to the City's GRP from that same spending. Excuse me. The benefit to cost ratio to Yonkers is $\$ 5.60$ of benefits to the City for every dollar of benefit provided to the project. This generates a net fiscal benefit to our city of over $\$ 3$ million over the next 20 years. This project helps to meet the recognized demand for affordable housing in the City, as well as provide positive economic for our city, and the recommendation is for the Board to approve the PILOT. MAYOR SPANO: Okay. John, you've been here quite a few times, so we won't torture you anymore, but I want to say do we have any questions? Hearing no questions. Anyone want to make a motion?

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MS. ANDERSON: Motion.
MAYOR SPANO: Victor's made a motion, seconded by Henry. All in favor?
(A chorus of ayes.)
MAYOR SPANO: Any negatives?
Hearing none. The item is passed.
MR. SARACENO: Thank you.
MAYOR SPANO: Thank YOu.
MS. MCGILI: The next item is a final resolution for the Ginsburg Development Companies. This is located at 150 Downing Street. We have Jim Surdoval here to represent the project.

MR. SURDOVAL: Thank You. You recall last month we were here for a small project at Abe Cohen Plaza to create a gateway entrance to this new neighborhood undergoing renovation.

This is the first significant project that we would be building under the new LMX zone that resulted from the City's new master plan for
the Ludlow area. It's a 208-unit building, residential with 10 percent of units affordable. The project also includes the rehabilitation of the park to the north as well as the creation of a new Bridge Street park connecting the Ludlow area to o'Boyle Park, creating a waterfront promenade overlooking the river that gets around the sugar refinery. All of the public realm work will be done with prevailing wage.

And at this point we have already begun the environmental remediation on the site and the regrading of the site. So there's activity going on there now. We have not yet started the project itself, but we hope to as soon as financing is secured in the near future. But we've already begun, as $I$ said, with the remediation.

MAYOR SPANO: Are we looking at it from the water side or is this --

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MR. SURDOVAL: Yes, this would be looking at it from the water. This would be the new Bridge Street extension.

MS. SINGER: Got it.
MR. SURDOVAL: This is the image of it from behind. That's the rear of the building, how it looked. MAYOR SPANO: Gotcha. Okay. Any questions?

MR. CURTI: Mayor, we do have a cost-benefit ratio analysis.

MAYOR SPANO: Cost-benefit analysis.

MS. MCGILI: Again, we procured third-party fiscal impact and benefit analysis. The conclusion is that the financial assistance is necessary for the financial feasibility of this project, and without it the project would not be built. The benefits proposed will allow the project to be constructed, also while delivering a modest return on investment.

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The project requested mortgage recording tax exemption, sales tax exemption, and PILOT. The construction phase of this project will generate 361 direct jobs, 63 indirect and induced jobs, and add \$51.1 million to the City's economy. The annual operation of this project will generate ten full-time jobs on site and 14 jobs that are induced as a result of operational and new household spending. This operational phase will add $\$ 4$ million annually to the City'sgross regional product from that same spending.

The benefit to cost ration to Yonkers is $\$ 2.53$ of benefit to the City of Yonkers for every dollar of benefit provided to the project, generating a net fiscal benefit to our city of over $\$ 7.8$ million over the next 25 years.

Based on the positive economic impact that this project

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provides, the recommendation is for the board to approve the package.

MAYOR SPANO: Are there any
questions? Cecile.
MS. SINGER: About the
financing, in view of what's
happening in the marketplace, are you delaying securing financing? I mean, how are you approaching this?

MR. SURDOVAL: We're not
delaying, we are working to kind of deal with the new realities of financing in the market.We're going to be applying for a New York State momentum grant that just got issued to try to fill some gaps. But there's no question that any
residential development today is facing new challenges in terms of putting financing together, so we are actively working to try to put together the public-private partnerships necessary to make this feasible, and this IDA benefits is

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one of the key components of that.
MS. SINGER: Thank you.
Mr. CAVANAUGH: Jim, I believe you're putting in a little bit more of your own equity than a developer normally might.

MR. SURDOVAL: Well, certainly more than Martin would typically do. What's happened is in addition to the interest rates going up, the amount of money that the bank is loaning relative to value has gone down, which requires Martin to put up more cash. So that cash requirement is one of the new pressures in the current environment that developers are facing right now. So that's part of how we're going for fill the gap, by Ginsburg putting in more capital. MS. SINGER: So are you doing that?

MR. SURDOVAL: Yes, and Martin is committed. He's started the project, as $I$ said, and he's never
not completed a project he's started, so, you know, he's going to, you know, find the way, find the path for the --

MS. SINGER: No, I'm aware of the abilities of Ginsburg.

MR. SURDOVAL: Yes.
MS. SINGER: But, you know, we're in a current marketplace that's very difficult for any developer. MR.SURDOVAL: We are indeed, yes.

MS. SINGER: And I'm just interested in how you're approaching it.

MR.SURDOVAL: Sure.
MR. CAVANAUGH: Well, you know, as Jim said, one of the things that stood out to us in this application was the fact that this developer is putting in significantly more of his own cash than we normally see. And again, that's because the difficulty of borrowing. And we're fortunate

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this developer has the developer to do that -- a lot --

MS. SINGER: No, I understand that, but I'm still interested in how the structure is working currently.

All right, thank you.
MR. SURDOVAL: Sure.
MAYOR SPANO: AnY other
questions for Mr. Surdoval? Hearing no questions. Thanks.

MR. SURDOVAL: Thank you.
MAYOR SPANO: AnYone want to make a motion? Cecile has made a motion again, seconded by Roberto. All in favor?
(A chorus of ayes.)
MAYOR SPANO: Any negatives?
Hearing none. The item is passed.
MS. MCGILL: Our next item is final resolution for the Vineyard Holdingslocated at 83-95 Vineyard Avenue. We do have a Steve Accinelli here to represent the project.

MR. ACCINELII: Good evening,

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Mr. Mayor, Members of the Board. Steven Accinelli from Veneruso, Curto, Schwartz \& Curto on behalf of the applicant. Good to see everyone.

By way of brief recap, this is a 32-unit rental project on Vineyard Avenue. It will have a parking deck constructed as part of the project. It will, happy to say, provide in excess of the parking required under the codes, so we don't have any parking issues there.

The Zoning Board and Planning Board approvals have been obtained, and unless there are any other questions, no further comment from me.

MAYOR SPANO: Okay. AnY questions?

MS. MCGILI: Once again, we have procured a third party fiscal impact - fiscal impact analysis, which concludes that the financial assistance is necessary for the

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financial feasibility of this project, and again, without it the project would not be built. The benefits proposed allows the project to be constructed while delivering a moderate return on their investment.

This project has requested mortgage recording tax exemption, sales tax abatement, and a PILOT. The construction phase will generate 65 direct construction jobs, two indirect jobs, and add \$7.8 million to the City's economy. The annual operations of is this project will generate one full-time job and one induced job as a result of the operational spending and the new household spending, nearly $\$ 300,000$ annually to the City's GRP from that same spending.

This is a vacant parcel that will generate new property tax revenues, as well as additional revenue from tenant and operational
spending within the City. The benefit to cost ratio to Yonkers is $\$ 1.72$ of benefit to the City for every dollar that is provided to the project, generating a net fiscal benefit to our city of $\$ 411,000$ over the next 15 years, and the recommendation is to approve the package.

MAYOR SPANO: Okay. Are there any other questions? Hearing no questions.

MS. NACERINO: Motion.
MAYOR SPANO: Melissa's made a motion, seconded by -- somebody want to make had a motion? Seconded by Henry. All in favor?
(A chorus of ayes.)
MAYOR SPANO: Any negatives?
Hearing none. The item is passed. Thank you.

MR. ACCINELII: Thank you.
MS. MCGILL: Our final item is
a resolution for a sales tax
extension for Greyston Bakery located

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at 40 Runyon Avenue.
This is merely an extension of time where they're allowed to use their approved sales tax exemption. They've had delays in construction, so they have not started spending yet. There is no additional benefit. It is merely giving them additional time to utilize the benefit they've already been granted. We have Mike Curti here who's transaction counsel.

MR. CURTI: Yes, she summarized it perfectly.

MAYOR SPANO: Okay. Any
questions ? Any questions at all? Going once, going twice. Marlyn's made a motion, seconded by Melissa. All in favor?
(A chorus of ayes.)
MAYOR SPANO: Any negatives?
The item is passed.
Is there any other business
before us today?
MS. MCGILI: No other business.

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MAYOR SPANO: Any legal updates?

MR. CURTI: I have nothing.
MAYOR SPANO: Want to make a motion we adjourn? Henry, seconded by Marlyn. All in favor?
(A chorus of ayes.)
MAYOR SPANO: Any negatives? We're adjourned.
(Time noted: 1:26 P.M.)

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

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

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

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 1 st day of June 2023.


NATHAN DAVIS

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| 35:21 | $51.1 \quad 25: 8$ | addition 27:10 additional 7:5 | 15:5,14 17:12 |
| 208 23:2 | $57 \text { 10:3,9,11 }$ |  | $\begin{array}{cc} 22: 2 \\ \text { annual } & 4: 4,5,9 \end{array}$ |
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