

RESOLUTION

(The Abbey on Park Project Volume Cap Assignment of 2025 Allocation)

A regular meeting of the City of Yonkers Industrial Development Agency was convened in public session on August 26, 2024. The following resolution was duly offered and seconded, to wit:

Resolution No. 09/2024 - 13

RESOLUTION OF THE CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD ASSIGNMENT AS NEEDED OF ALL OR A PORTION OF ITS PRIVATE ACTIVITY BOND VOLUME ALLOCATION FOR CALENDAR YEAR 2025 TO THE YONKERS ECONOMIC DEVELOPMENT CORPORATION AND AUTHORIZING THE EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATED THERETO

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"), **CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called 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 Agency received an initial private activity bond volume cap allocation from the State of New York (the "State"), for calendar year 2024, in the amount of \$4,335,160 (the "2024 Volume Cap Allocation"); and

WHEREAS, by resolution dated February 29, 2024, the Agency transferred its 2024 Volume Cap Allocation to YEDC, which allocation will be utilized for the benefit of the Project; and

WHEREAS, subject to receipt, the Agency expects to receive a private activity volume cap allocation from the State, for calendar year 2025 (the "2025 Volume Cap Allocation") in the approximate amount of \$4,335,160, or such other amount allocated to the Agency; and

WHEREAS, in order to assist in financing a certain eligible project, the **YONKERS ECONOMIC DEVELOPMENT CORPORATION** (the "Corporation") is contemplating to issue its taxable and/or tax-exempt multifamily housing revenue bonds or other debt obligations the issuance of which is subject to, among other things availability of private activity bond volume cap allocation therefor; and

THE ABBEY ON PARK LIMITED PARTNERSHIP, a New York limited partnership, and/or a special purpose entity formed or to be formed by or on its behalf or controlled by it, the general partner of which will be The Abbey on Park Associates, LLC (collectively, the "Company") has submitted an application (the "Application") to the Issuer requesting that the Issuer issue, in one or more series or subseries, as part of a plan of finance, its tax-exempt and/or taxable multifamily housing revenue bonds in an aggregate principal amount not to exceed \$26,415,000 (the "Bonds") for the purpose of paying the costs associated with a certain project

(the “Project”) consisting of: (A) the acquisition or retention of the land, including, but not limited to, all easements, licenses, and other real property interests owned or controlled by the Company where improvements benefitting the Project are situated, commonly known as 21-23 Park Avenue (Section 2, Block 2090, Lot 44), City of Yonkers, New York (the “Land”); (B) the construction, improving and equipping on the Land of (i) 82 new affordable multi-family residential rental units in three buildings consisting of: (a) a new facility containing 33 residential rental units, and (b) 49 new residential rental units from the renovation and adaptive reuse of the historic Ethan Flagg House and Blessed Sacrament Monastery, (ii) of the 82 units, 31 units will be studios, 41 units will be one-bedroom, and 10 units will be two-bedroom, (iii) resident amenities including bicycle storage, on site-management, workspace and artists’ spaces, (iv) sidewalk improvements on Park Avenue, and (v) approximately 82 parking spaces (24 on-site spaces, and 58 spaces which will be leased from a nearby parking facility) (the “Improvements”), (C) of the total 82 residential rental units, 81 units will be “affordable”, and one unit will be a superintendent’s unit; (D) the acquisition and installation in and around the Land and Improvements of certain items of equipment and other tangible personal property (the “Equipment”, which together with the Land and Improvements are the “Facility”); and (E) funding of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds (the costs associated with items (A), through (E) being hereinafter collectively referred to as the “Project Costs”); and

WHEREAS, the County of Westchester Industrial Agency has or will consent to the transfer of a portion of its 2024 private activity bond volume cap allocation, in the amount of approximately \$6,619,700 (the “CWIDA Allocation”) to YEDC for the benefit of the Project; and

WHEREAS, the Corporation has requested or will request an increase to its allocation in the amount of up to \$11,124,980 (the “Additional Volume Cap Allocation”), from the State reserve and/or from other local issuers within Westchester County; and

WHEREAS, in support of the additional needs of the Project, the Agency desires, upon receipt of the 2025 Volume Cap Allocation, to transfer such allocation to YEDC for the benefit of the Project; and

WHEREAS, pursuant to the Act, the Agency desires to adopt a resolution authorizing the assignment of all or a portion of the Agency's 2025 Volume Cap Allocation at the discretion of the Chairman, Vice Chairman, President, Executive Director, or Secretary of the Agency to the Corporation for the benefit of the Project, conditioned on the receipt of the Additional Volume Cap Allocation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:

Section 1. Upon receipt of the requisite private activity volume cap, and in accordance with Section 146 of the Code and any applicable law of the State, the Agency hereby authorizes and approves the assignment of all or a portion of the 2025 Volume Cap Allocation to the Corporation, at the discretion of the Chairman, Vice Chairman, President, Executive Director, Secretary and/or the CFO of the Agency (the “Assignment of Volume Cap”).

Section 2. The Chairman, Vice Chairman, President, Executive Director, Secretary and/or the CFO are hereby authorized, on behalf of the Agency, to execute and deliver all such instruments and documents and to do all such further acts and things as may be necessary to effectuate the Assignment of Volume Cap.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. These Resolutions shall take effect immediately.

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	[✓]]	[]	[]	[]
Susan Gerry	[✓]]	[]	[]	[]
Melissa Nacerino	[]	[]	[]	[X]]
Hon. Cecile D. Singer	[✓]]	[]	[]	[]
Henry Djonbalaj	[✓]]	[]	[]	[]
Roberto Espiritu	[]	[]	[]	[X]]
Victor Gjonaj	[✓]]	[]	[]	[]

The Resolution was thereupon duly adopted.

CERTIFICATION

(The Abbey on Park Volume Cap Assignment of 2025 Allocation)

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

I, 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 on September 26, 2024, with the original thereof on file in my office, 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), 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 Article 7.

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 26 day of September, 2024.


Susan Gerry, Secretary

AUTHORIZING RESOLUTION
(Lake Opportunity Holdings LLC Project – PILOT Extension)

A regular meeting of the City of Yonkers Industrial Development Agency was convened on September 26, 2024.

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

Resolution No. 09/2024 - 14

RESOLUTION OF THE CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY (i) AUTHORIZING AN EXTENSION OF THE EXISTING PARTIAL REAL PROPERTY TAX ABATEMENT, AND (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF A MORTGAGE AND RELATED DOCUMENTS.

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, by resolution dated January 11, 2019, the Agency approved assistance for **LAKE OPPORTUNITY HOLDINGS LLC** (the "Company") for a certain project (the "Project"), in one or more phases, consisting of: (i) the acquisition of a leasehold interest in certain land located at 222 Lake Avenue, City of Yonkers, New York (the "Land") and the existing improvements located thereon consisting principally of an approximately 55,000 square-foot vacant loft within the Capet Mills Arts District of the City of Yonkers, New York (collectively, the "Existing Improvements"); (ii) the reconstruction, renovation and refurbishment of the Existing Improvements consisting of (a) in Phase I, the remediation of fire-damaged structures, updating of electrical, plumbing and safety systems, installation of passenger elevators, pointing of bricks, installation of new windows, beautification of curb line and exterior lighting, and (b) in Phase II, tenant improvements and buildout (collectively, the "Improvements"); and (iii) the acquisition and installation in and around the Existing Improvements and Improvements of certain items of equipment and other tangible personal property (the "Equipment"; and, collectively with the Land, the Existing Improvements and the Improvements, the "Facility"); all or a portion of which Facility shall be leased to tenants designated by the Company to accommodate co-working and incubator operator, a coffee shop, fast-food market, music recording studio, event/wedding venue, micro-brewery and indoor kids play ground and party space; and

WHEREAS, it is contemplated that the Agency enter into an agent, financial assistance and project agreement, pursuant to which the Agency will designate the Company as its agent for the purpose of acquiring, constructing and equipping the Project (the "Agent Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the

"Leaseback Agreement") and tax agreement (the "Tax Agreement") with the Company, and, if required by the Agency, a Tax Agreement mortgage (the "Tax Agreement Mortgage"), (iii) take a leasehold interest in the Land, the Improvements and personal property constituting the Project (once the Lease Agreement, Leaseback Agreement and Tax Agreement (and Tax Agreement Mortgage, if applicable) have been negotiated), and (iv) provide Financial Assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Project, (b) a partial real property tax abatement structured through the Tax Agreement, and (c) a mortgage recording tax exemption as permitted by New York State Law (collectively, the "Financial Assistance"); and

WHEREAS, by correspondence dated August 9, 2023 (the "Company Correspondence"), attached hereto as Exhibit A, the Company advised the Agency that, despite the substantial work completed to date, the Project had been substantially delayed due to the continuing impact of the COVID-19 Pandemic, supply chain disruption and permit delays, among other reasons, and requested that the Agency grant a five (5) year extension to the term of the Tax Agreement (the "Company Request"); and

WHEREAS, the Agency directed that a cost-benefit analysis memorandum be prepared to evaluate the Company Request (the "CBA Memorandum"), which CBA Memorandum is attached hereto as Exhibit B; and

WHEREAS, the Agency desires to grant the Company Request.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:

Section 1. The Agency hereby determines that authorizing the Company Request, as described herein constitutes a Type II Action pursuant to the New York State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617.1 et. seq., as amended ("SEQRA") and therefore no findings or determination of significance are required.

Section 2. Based upon the representation and warranties made by the Company in the Company Correspondence, the Agency hereby authorizes and approves the Company Request.

Section 3. The Chairperson, Executive Director and staff of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. These Resolutions shall take effect immediately upon adoption.

Dated: September 26, 2024

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	[✓]	[]	[]	[]
Susan Gerry	[✓]	[]	[]	[]
Melissa Nacerino	[]	[]	[]	[X]
Hon. Cecile D. Singer	[✓]	[]	[]	[]
Henry Djonbalaj	[✓]	[]	[]	[]
Roberto Espiritu	[]	[]	[]	[X]
Victor Gjonaj	[✓]	[]	[]	[]

The Resolution was thereupon duly adopted.

CERTIFICATION

(Lake Opportunity Holdings LLC Project – PILOT Extension)

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

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

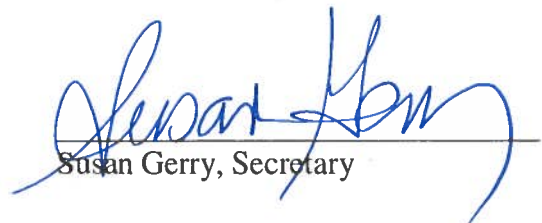
That I have compared the annexed extract of minutes of the meeting of the City of Yonkers Industrial Development Agency (the “Agency”), including the resolution contained therein, held on September 26, 2024, with the original thereof on file in my office, and that the same is a true and correct copy 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), 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 Article 7.

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 26 day of September, 2024.


Susan Gerry, Secretary

YIDA Resolution No. 09/2024-14

Authorizing Resolution – Lake Opportunity Holdings LLC – PILOT Extension

September 26, 2024

TC: Harris Beach PLLC

EXHIBIT A

YIDA Resolution No. 09/2024-14

Authorizing Resolution – Lake Opportunity Holdings LLC – PILOT Extension

September 26, 2024

TC: Harris Beach PLLC

EXHIBIT B

RESOLUTION

(Consent Resolution for Assignment of Yonkers Waterfront Properties LLC Project)

A regular meeting of the City of Yonkers Industrial Development Agency was convened on September 26, 2024.

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

Resolution No. 09/2024 -15

RESOLUTION OF THE CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY CONSENTING TO THE TRANSFER OF THE YONKERS WATERFRONT PROPERTIES LLC PROJECT TO AJH MANAGEMENT

WHEREAS, the City of Yonkers Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 83 of the Laws of 1982 of the State of New York pursuant to Title I of Article 18-A of the General Municipal Law of the State of New York, as amended (the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, by resolution dated May 28, 2013, the Agency appointed YONKERS WATERFRONT PROPERTIES, LLC (“YWP”) the true and lawful agent of the Agency to undertake a certain project (the “Project”), consisting of the acquisition, construction and equipping on land at or adjacent to 1 Alexander Street land designated as “Parcel B”, Dock Street, Water Street, Alexander Street and Wells Avenue and designated as Block 2605, Lot 73 on the tax map of the City of Yonkers, Yonkers, New York, of an approximately twenty-three story apartment building containing up to 222 units consisting of studios, one bedroom and two bedroom units, approximately 15,000 square feet of life-style amenities, the extension of a public esplanade with the existing Yonkers Canoe and Paddle Club as well as related infrastructure and other improvements (the “Facility”); and

WHEREAS, in connection with the Project, the Agency and Company entered into various agreements to facilitate the Project (the “Project Documents”); and

WHEREAS, by correspondence dated August 13, 2024 (the “Company Request”), a copy of which is attached hereto as Exhibit A, the Company informed the Agency of its intention to sell the Facility to AJH Management, LLC (the “Purchaser”), and requested the Agency’s consent to transfer the Project Documents to the Purchaser (the “Proposed Transaction”); and

WHEREAS, the Agency Documents require Agency consent of the Proposed Transaction; and

WHEREAS, the Agency desires to consent to the Proposed Transaction.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:

Section 1. The Agency finds that the Proposed Transaction is a Type II action under the State Environmental Quality Review Act (“SEQRA”), specifically 6 NYCRR 617.5 (1), (2), and (26) and no further action is required.

Section 2. The Agency hereby consents to the Proposed Transaction and authorized the assignment of the Project Documents to the Purchaser.

Section 3. The Chairman, Vice Chairman, Secretary, President, Executive Director and/or the Chief Fiscal Officer of the Agency are hereby authorized, on behalf of the Agency, to execute any and all Agreements and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to such certificates, mortgages, agreements, instruments, and documents which relate or pertain to the Proposed Transaction and to attest to the same, all with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Secretary, President, Executive Director and/or the Chief Fiscal Officer of the Agency shall approve, in consultation with legal counsel to the Agency, the execution thereof by the Chairman, Vice Chairman, Secretary, President, Executive Director and/or the Chief Fiscal Officer of the Agency to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments, agreements, mortgages, and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 5. The foregoing Resolution shall take effect immediately.

Dated: September 26, 2024

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

	Yea	Nay	Abstain	Absent
Mayor Mike Spano	[✓]	[]	[]	[]
Susan Gerry	[✓]	[]	[]	[]
Melissa Nacerino	[]	[]	[]	[X]
Hon. Cecile D. Singer	[✓]	[]	[]	[]
Henry Djonbalaj	[✓]	[]	[]	[]
Roberto Espiritu	[]	[]	[]	[X]
Victor Gjonaj	[✓]	[]	[]	[]

The Resolution was thereupon duly adopted.

CERTIFICATION

(Consent Resolution for Transfer of Yonkers Waterfront Properties LLC Project)

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

I, 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 September 26, 2024 with the original thereof on file in my office, 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), 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.

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 26 day of September, 2024.



Susan Gerry, Secretary

[SEAL]

AUTHORIZING RESOLUTION

(Larkin Garage Project—Extension of Management Services Agreement)

A regular meeting of the City of Yonkers Industrial Development Agency was convened on September 26, 2024.

The following resolutions were duly offered and seconded, to wit:

Resolution No. 09/2024 - 16

APPROVING A ONE YEAR EXTENSION TO THE MANAGEMENT SERVICES AGREEMENT FOR THE LARKIN GARAGE PROJECT

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the “State”), as amended, and Chapter 83 of the Laws of 1982 of the State, 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, YONKERS LARKIN GARAGE, INC. (“YLG”) is a not-for-profit corporation duly organized and validly existing pursuant to Section 402 of the Not-for-Profit Corporation Law of the State; and

WHEREAS, YLG was formed to assist in the alleviation of housing shortages for low-income and other disadvantaged persons, combat community deterioration and carry out neighborhood revitalization and community economic development by receiving and administering funds exclusively for educational and charitable purposes; and

WHEREAS, YLG operates a 300 space waterfront parking garage (the “Facility”) located at 45 Warburton Avenue, Yonkers, New York, which provides parking for the surrounding public park, residential, and commercial area; and

WHEREAS, the Agency and YLG entered into a certain Management Services Agreement (the “Agreement”), dated as of June 1, 2019, for a term of five (5) years; and

WHEREAS, pursuant to the terms of the Agreement, the parties have the option to renew for a total of five (5) additional one-year terms; and

WHEREAS, the parties desire to extend the Agreement for to ratify the one year extension from May 1, 2023 through April 30, 2024, and to further extend the Agreement for a second one-year term, from May 1, 2024 through April 30, 2025 (the “Extension Agreement”).

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:

Section 1. The Agency hereby approves and ratifies the Extension Agreement, attached hereto as Exhibit A.

Section 2. The Agency hereby ratifies, confirms and approves all actions heretofore taken by the Chairperson, the Executive Director, and the staff of the Agency with respect to the matters contemplated by this resolution, including, without limitation, those actions required to ensure full compliance with the requirements of the Act and all other applicable laws that relate thereto.

Section 3. The members, representatives, and agents of the Agency are hereby authorized and directed to take all actions deemed appropriate to effectuate the purposes of the foregoing resolutions including, negotiating and executing all agreements, instruments, certificates, documents, and instruments required by the First Extension and are hereby authorized and directed to execute and deliver such other agreements, instruments, certificates, documents and instruments, subject to the approval of counsel, and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by these resolutions, said execution being conclusive evidence of such approval.

Section 4. This resolution shall be effective immediately.

Dated: September 26, 2024

The question of the adoption of the foregoing resolutions 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	[✓]]	[]	[]	[]
Susan Gerry	[✓]]	[]	[]	[]
Melissa Nacerino	[]	[]	[]	[X]]
Hon. Cecile D. Singer	[✓]]	[]	[]	[]
Henry Djonbalaj	[✓]]	[]	[]	[]
Robert Espiritu	[]	[]	[]	[X]]
Victor Gjonaj	[✓]]	[]	[]	[]

The resolutions were thereupon duly adopted.

CERTIFICATION

(Larkin Garage Project—Extension of Management Services Agreement)

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

I, 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 September 26, 2024, with the original thereof on file in my office, 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), 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.

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 26 day of September, 2024.



Susan Gerry, Secretary

[SEAL]

YIDA Resolution No. 09/2024-16

Authorizing Resolution – Larkin Garage Project – Extension of Management Services Agreement
September 9, 2024

TC: Harris Beach PLLC

EXHIBIT A

(Attached)