

**FINAL RESOLUTION**  
*(The Abbey on Park Limited Partnership Project)*

A regular meeting of the City of Yonkers Industrial Development Agency was convened in public session on December 11, 2024.

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

**Resolution No. 12/2024 -20**

RESOLUTION OF THE CITY OF YONKERS INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY WITH RESPECT TO THE ABBEY ON PARK PROJECT; (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, TAX AGREEMENT MORTGAGE, AND RELATED DOCUMENTS; (iii) AUTHORIZING FINANCIAL ASSISTANCE TO THE ABBEY ON PARK LIMITED PARTNERSHIP IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT AND (C) A MORTGAGE RECORDING TAX EXEMPTION; AND (iv) 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, an affiliated and related entity of **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 (collectively, the "Company"), has submitted an application (the "Application") to the Agency requesting the Agency's assistance 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 "affordable", and one unit will be a superintendent's unit; and (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

WHEREAS, in connection with the Project, the Company submitted an application to the **CITY OF YONKERS ECONOMIC DEVELOPMENT CORPORATION** ("YEDC"), requesting that YEDC issue its tax-exempt and/or taxable revenue bonds for the benefit of the Company in one or more series in an aggregate principal amount of up to \$27,170,000 (the "Bonds") for the purpose of paying the costs associated with: (i) the Project, and (ii) 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; and

WHEREAS, YEDC will also provide a mortgage recording tax exemption as permitted by New York State law; and

WHEREAS, by Resolution dated February 29, 2024, the Agency authorized the transfer of its private activity bond volume cap allocation for 2024 to YEDC in the amount of \$4,335,160; and

WHEREAS, by resolution dated September 29, 2024, subject to availability the Agency allocated its private activity volume cap allocation for 2025, in the amount of approximately \$4,335,160, to YEDC for the benefit of the Project; and

WHEREAS, it is contemplated that the Agency will 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 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", as such term is defined in the Act, 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 mortgage recording tax exemption as permitted by State law, and (c) a partial real property tax abatement structured through the Tax Agreement (collectively the "Financial Assistance"); and

WHEREAS, pursuant to General Municipal Law Section 859-a, on October 29, 2024, at 11:00 a.m. local time, at the offices of Agency at 470 Nepperhan Avenue, Suite 200, Yonkers, New York 10701, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance being contemplated by the Agency (the "Public Hearing") whereat interested

parties were provided a reasonable opportunity, both orally and in writing, to present their views. A copy of the notice of Public Hearing, published and forwarded to the affected taxing jurisdictions with Notice Letter at least ten (10) days prior to said Public Hearing, is attached hereto as **Exhibit A**, along with the Affidavit of Publication of *The Journal News*, and Minutes of the Public Hearing; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as “SEQRA”), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

WHEREAS, the City of Yonkers Zoning Board of Appeals (the “Zoning Board of Appeals”), as an involved agency under SEQRA in connection with land use review, designated itself to act as Lead Agency for purposes of a review of the Project as a proposed action under SEQRA and conducted a review of the Project (the “Zoning Board of Appeals Board Review”); and

WHEREAS, at the conclusion of the Zoning Board of Appeals Review, on December 20, 2022, the Zoning Board of Appeals determined that the Project will not have a significant effect on the environment, which was memorialized on January 24, 2023 (the “Zoning Board of Appeals Negative Declaration”); and

WHEREAS, pursuant to SEQRA, to aid the Agency in determining whether the Project may have a significant adverse impact upon the environment, the Agency has completed, received and/or reviewed (1) Environmental Assessment Form (“EAF”), dated October 10, 2022, and revised November 7, 2022, submitted by counsel to the Company; (2) New York State Department of Environmental Conservation (“NYSDEC”) Environmental Resource Mapper; (3) New York State Historic Preservation Office’s Cultural Resources Mapper; (4) Zoning Board of Appeals Negative Declaration; (5) the Application; (6) Environmental Assessment Form Parts II and III completed by the City of Yonkers Planning Board, dated July 12, 2023 (“SEQRA Findings”); and (7) other relevant environmental information (collectively, 1, 2, 3, 4, 5, 6 and 7 shall be referred to as the “Environmental Information”); and

WHEREAS, pursuant to 6 NYCRR Part 617.2(a)(1), the proposed action is classified as an Unlisted Action; and

WHEREAS, pursuant to the requirements of 6 NYCRR Part 617.6(b)(4) an uncoordinated review of this action is being conducted as the action will not have an significant adverse impact on the environment;

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

Section 1. The Agency has reviewed the Application and, based upon the representations made by the Applicant to the Agency and the facts and information obtained by the staff of the Agency and reported to and reviewed by the members of the Agency at this meeting (including, without limitation, the Environmental Information), the Agency has reviewed and assessed all material information necessary to afford a reasonable basis for the Agency to make a determination to approve the Financial Assistance. In addition, the Agency makes the following findings and determinations with respect to the Project:

(a) based on the proposed use of the Project as set forth in the Application, the economic effects of the Project on the area in which it is situated including the prevention of economic deterioration, the job opportunities to be created and/or maintained by the Project, the Project will constitute a commercial facility and, therefore, the Project constitutes a “project” within the meaning of the Act;

(b) the granting of the Financial Assistance by the Agency to the Applicants is necessary to induce the Applicants to proceed with the Project;

(c) there is a likelihood that the Project would not be undertaken but for the granting of the Financial Assistance by the Agency to the Applicants;

(d) the completion of the Project by the Applicants as agent of the Agency, the lease thereof by the Agency to the Applicants and the operation thereof by the Applicants will not result in the removal of an industrial, manufacturing or commercial plant of the Company or any occupant of the Project from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Company or any occupant of the Project except as permitted by the Act.

(e) no funds of the Agency shall be used in connection with the Project for the purpose of preventing the establishment of an industrial or manufacturing plant, nor shall any funds of the Agency be given in connection with the Project to any group or organization which is attempting to prevent the establishment of an industrial or manufacturing plant within the State, nor shall any funds of the Agency be used for advertising or promotional materials which depict elected or appointed government officials in either print or electronic media;

(f) the granting of the Financial Assistance by the Agency with respect to the Project will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of the City of Yonkers, New York and the State, will improve their standard of living, and will prevent unemployment and economic deterioration, and thereby serves the public purposes of the Act;

(g) in 2019, the County of Westchester prepared or had prepared a Westchester County Housing Needs Assessment identifying a lack of affordable housing in the County of Westchester and such Assessment recommends the adaptive reuse of underutilized properties;

(h) such lack of affordable rental housing has resulted in individuals leaving the City of Yonkers and therefore adversely affecting employers, businesses, retailers, banks, financial institutions, insurance companies, health and legal services providers and other merchants in the City of Yonkers and otherwise adversely impacting the economic health and well-being of the residents of the City of Yonkers, employers, and the tax base of the City of Yonkers;

(i) the Facility will provide services, i.e., affordable rental housing, which but for the Facility, would not otherwise be reasonably accessible to the residents of the City of Yonkers;

(j) the Land is predominately vacant, including thirty-five (35) vacant affordable residential units. Upon completion of the Project, there will be a total of eighty-two (82) residential apartments of which eight-one (81) residential apartments will be "affordable" housing units, with the remaining unit a non-rent bearing unit for the Facility's superintendent. Taking into account the stated purposes of the Act being the promotion of employment opportunities and the prevention of economic deterioration the Agency hereby finds that the undertaking of the Project constitutes a commercial activity as it promotes the creation of employment opportunities and the prevention of economic deterioration;

(k) the Project does not and will not constitute a project where facilities or property that are primarily used in making retail sales of goods and/or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project. For purposes of this finding, retail sales shall mean: (i) sales by a registered vendor under Article 28 of the New York Tax Law primarily engaged in the retail sale of tangible personal property, as defined in subparagraph (i) of paragraph four of subdivision (b) of section 1101 of the New York Tax Law; or (ii) sales of a service to such customers; and

(l) the Financial Assistance is authorized by the Act and will be in furtherance of the policy of the State of New York as set forth therein.

Section 2. The Agency hereby authorizes the Company to proceed with the Project as herein described.

Section 3. The Agency is hereby authorized to provide to the Company the Financial Assistance in the form of: (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction, reconstruction, renovation and equipping of the Project, (b) a partial real property tax abatement structured through the Tax Agreement, and (c) a mortgage recording tax exemption to the extent not provided by YEDC.

Section 4. Subject to the Company executing an Agent Agreement (in a form to be approved by Counsel to the Agency and/or Transaction Counsel) and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful

agent of the Agency: (i) to acquire, construct and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; *provided, however*, the Agent Agreement shall expire on **December 31, 2027** (unless extended for good cause by the Executive Director of the Agency) if the Lease Agreement, Leaseback Agreement, Tax Agreement and Tax Agreement Mortgage contemplated have not been executed and delivered.

**Section 5.** Based upon the representation and warranties made by the Company in its Application, the Agency hereby authorizes and approves the Company as its agent to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount of approximately **\$18,626,300.00**, which result in New York State and local sales and use tax exemption benefits (“sales and use tax exemption benefits”) in an amount of approximately **\$1,653,084.00**. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

**Section 6.** Pursuant to Section 875(3) of the New York General Municipal Law, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project. As a condition precedent of receiving sales and use tax exemption benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must (i) cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

**Section 7.** The Chairman, Vice Chair, President, Executive Director, Secretary and/or the CFO of the Agency are hereby authorized, on behalf of the Agency, to negotiate and enter into: (A) the Agent Agreement, (B) the Lease Agreement, pursuant to which the Company leases its interest in the Project to the Agency, (C) the Leaseback Agreement, pursuant to which the Agency

leases its interest in the Project to the Company, (D) the Tax Agreement and Tax Agreement Mortgage; *provided, that*, (i) the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the Tax Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 8. The Chairman, Vice Chair, President, Executive Director, Secretary, and/or the CFO of the Agency are hereby authorized, on behalf of the Agency, to execute, deliver and record any mortgage, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any Lender identified by the Company (the "Lender") up to a maximum principal amount necessary to refinance existing Company debt and to undertake the Project, acquire the Facility and/or finance or refinance the Facility or equipment and other personal property and related transactional costs (hereinafter, with the Agent Agreement, Lease Agreement, Tax Agreement, Tax Agreement Mortgage, and Assignment Agreement collectively called the "Agency Documents"); and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Chairman, Vice Chairwoman, President, Executive Director, Secretary, and/or CFO of the Agency shall approve, and the execution thereof by the Chairman, Vice Chairwoman, President, Executive Director, Secretary and/or CFO of the Agency shall constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 9. 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 10. Based upon the Environmental Information reviewed by the Agency and other representations and information furnished by the Company regarding the Project, the Agency determines that the action relating to the acquisition, construction, equipping, furnishing and operation of the Facility is an "unlisted" action, as that term is defined in the SEQRA regulations.

Section 11. Based upon the foregoing investigations of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact indicated, the Agency concurs with the Zoning Board of Appeals Negative Declaration and SEQRA Findings and has determined that the Project will not have a significant adverse impact upon the environment and issues a negative declaration as part of an uncoordinated SEQRA review. The reasons supporting this determination and finding are as follows:

(a) Conformance of Project with the City Code. The Project is in the City of Yonkers M-District, Apartment Medium Density, which permits the Project.

Based on the application for benefits, the City has approved the Project at the Land, including a parking variance from the City of Yonkers Zoning Board of Appeals. Accordingly, given the zoning and local approvals by the City of Yonkers, the Project conforms with the City of Yonkers Code.

(b) Impact on Land. The Project is not anticipated to create any potentially significant adverse impacts to land resources or land use. As noted in the Application, a significant portion of the Land is already disturbed and most of the Project is an adaptive reuse and rehabilitation of existing buildings.

Through the Project's general compliance with City of Yonkers approvals, the land use and zoning character of the area will be protected. Accordingly, the Project is not anticipated to create any potentially significant adverse impacts to land resources or land use.

(c) Impact on Water. No wetlands abut the Land nor are contained thereon. In addition, the Project is not located in a designated 100-year floodplain. The Land has been previously disturbed, and the improvements will not physically alter, or encroach into, any existing wetland or waterbody. Given the residential nature of the use, no activities proposed for the Project are anticipated to impact groundwater or the aquifer, nor is construction or operation of such project anticipated to expose such aquifer to the undue threat of contamination. Public water will continue to serve the Land and the sanitary disposal will continue to be accommodated by Yonkers Sewer District. Accordingly, the Project will not have an adverse impact on water resources.

(d) Impact on Air. The Project will not be a significant source of air emissions. The Project does not entail the types of activities or operations that require the Company to acquire an air facility permit or that are associated with a significant potential for air emissions. Any potential impact on air as a result of construction activities will be minor and temporary in nature.

(e) Impact on Health or Safety. The Project does not entail the types of activities or operations that are associated with a significant potential for affecting public health. Accordingly, the Project will not create any significant adverse impact to public health, air, land or water resources.

(f) Impact on Plants and Animals Including Threatened or Endangered Species. The EAF identifies the Atlantic Sturgeon and Shortnose Sturgeon as threatened or endangered species potentially located on the site based upon the NYSDEC records. No portion of the Land, however, contains water and, thus, any such endangered species are located offsite, outside of the proposed boundaries of the permanent improvements. The

EAF identifies no rare or endangered vegetation onsite. Accordingly, the Project will not create significant adverse impacts to plants, animals or natural communities, wildlife habitat or wetlands.

(g) Impact on Agricultural Land Resources. The Project is located in an area currently devoted to residential, medical, institutional and commercial uses. As a result, it will not involve the conversion or loss of agricultural land resources. Accordingly, the Project will not create any significant adverse impacts to agricultural land resources.

(h) Impact on Aesthetic Resources. The Project will not be visible from any officially designated federal, state or local scenic or aesthetic resource. The Land is situated in a developed area and is zoned for uses consistent with the Project. As the Project is compliant with its surroundings, it is not anticipated to create any significant adverse impacts to aesthetic resources.

(i) Impact on Historic and Archeological Resources. The land on which the Project is to be located contains the Ethan Flagg House (Blessed Sacrament Monastery) which is included in the National Register of Historic Places due to “the distinctive characteristics of a type, period, or method of construction or that represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction” and due to association of the Land with “lives of persons significant in our past.”

The Project will preserve the onsite structures and their distinctive architectural qualities. The Project’s rehabilitation of the existing buildings will preserve the historic quality of the Land. Although the Project may be visible from the Leffingwell-Batcheller House, included in the National Register of Historic Places, the existing building to be maintained is visible.

The Land is not designated as a sensitive archaeological site. Further, areas near the Land have been previously developed and lack the characteristics that would suggest the potential presence of any significant archaeological resources. Accordingly, the Project will not create any significant adverse impacts to historic or archaeological resources.

(j) Impact on Open Space and Recreation. The Land and adjacent areas around it do not comprise public open space. Further, the density of the Project is not anticipated to create an adverse impact of local parkland. Accordingly, the Project will not create any significant adverse impacts to open space or recreational resources.

(k) Impact on Critical Environmental Areas. The EAF identifies the Land as being in or adjoining the County & State Parks Lands designed by Westchester County as a Critical Environmental Area. This, however, is contrary to the Map prepared by the NYSDEC showing such Critical Environmental Area. Regardless, the Project does not

include the type of use that would have any negative impact on the County & State Parks Lands.

(l) Impact on Transportation. Based on the EAF, SEQRA Findings and the Agency's experience, the scale of the project will not result in a substantial increase in traffic above capacity of current traffic infrastructure, nor is it expected to generate substantial new demand for transportation facilities or services/infrastructure. Further, anticipated truck traffic associated with the operation of the Project is also not anticipated to result in significant negative effects given that the improvements are relatively small in relation to the existing building and use being maintained on the Land. Any impacts to transportation from construction activities associated with the Project will be minor and temporary in nature. Accordingly, it is not anticipated that the Project will create any significant adverse impacts to transportation.

(m) Impact on Energy. The Project may result in an increase in energy usage, however, existing utilities serve the area where the Project will be developed and are anticipated to have adequate capacity to serve it. As a result, the Project will not create any significant adverse impacts to energy.

(n) Impact on Noise and Odor and Impacts from Light. The Project is not expected to materially increase ambient noise levels or to create odors of consequence particularly considering such project setting including the Land. As a result, it is not anticipated that the operation of the Project will result in undue noise impacts. Further, any impacts to noise and/or odor from construction activities will be minor, and temporary in nature. In addition, any such noise from construction will be undertaken during work hours and as such is not anticipated to be significant. Accordingly, the Project will not create any significant adverse impacts to noise or odors.

(o) Impact on Growth and Character of the Community and Neighborhood. The Project is not anticipated to result in significant growth out of character or beyond the capacity of the area to accommodate the same considering the zoning of the site of said project, existing improvements on the Land and surrounding uses. In sum, the Project is similar and is in character with surrounding uses. Accordingly, the Project is not anticipated to create any significant adverse impacts to the growth or character of the community.

(p) No Related Actions being Funded, Undertaken or Approved by the Agency. The Project is not associated with any related action being undertaken, funded or approved by the Agency. Accordingly, the Project is not anticipated to have a cumulative impact that affects the consideration of the Project under SEQRA.

(q) Changes Associated with the Project Will Not have a Significant Impact on the Environment in the Aggregate. No anticipated changes in two or more elements of the environment, neither of which has a significant impact on the environment, when

YIDA Resolution No. 12/2024-20  
Final Resolution: The Abbey on Park Limited Partnership  
December 11, 2024  
TC: Harris Beach PLLC

considered together will result in a substantial adverse impact on the environment given existing environmental conditions and mitigation measures included in the improvements.

Section 12. This resolution shall take effect immediately upon adoption.

Dated: December 11, 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	[ x ]	[ ]	[ ]	[ ]
Susan Gerry	[ x ]	[ ]	[ ]	[ ]
Melissa Nacerino	[ ]	[ ]	[ ]	[ x ]
Hon. Cecile D. Singer	[ x ]	[ ]	[ ]	[ ]
Henry Djonbalaj	[ x ]	[ ]	[ ]	[ ]
Roberto Espiritu	[ ]	[ ]	[ ]	[ x ]
Victor Gjonaj	[ x ]	[ ]	[ ]	[ ]

The Resolution were thereupon duly adopted.

**CERTIFICATION**  
*(The Abbey on Park Limited Partnership 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 December 11, 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 16<sup>th</sup> day of December, 2024.

  
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Susan Gerry, Secretary

[SEAL]

YIDA Resolution No. 12/2024-20  
Final Resolution: The Abbey on Park Limited Partnership  
December 11, 2024  
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**EXHIBIT A**

Notice of Public Hearing  
Notice Letter  
Evidence of Mailing Notice Letter  
Affidavit of Publication of *The Journal News*  
Minutes of Public Hearing

[Attached hereto]

YIDA Resolution No. 12/2024-20  
Final Resolution: The Abbey on Park Limited Partnership  
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**EXHIBIT B**

Negative Declaration

[Attached hereto]