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STATE OF NEW YORK  
CITY OF YONKERS

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Minutes of  
The City of Yonkers YEDC  
August 15, 2019 - 9:00 A.M.  
At  
Yonkers Industrial Development Agency  
470 Nepperhan Avenue, Suite 200  
Yonkers, New York 10701-3892

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B E F O R E:

PETER KISCHAK, Vice Chairman  
WILSON KIMBALL, Secretary  
MELISSA NACERINO, Treasurer

Y E D C S T A F F:

MARY LYRAS - IDA/YEDC Chief  
Fiscal Officer  
JAIME MCGILL - IDA Executive  
Director

P R E S E N T:

KARLY GROSZ, ESQ. - YEDC Counsel  
MICHAEL CURTI, ESQ. - HARRIS BEACH  
ANDREW MANIGLIA - GINSBURG DEVELOPMENT  
COMPANIES  
DOUGLAS RAMSAY - GINSBURG DEVELOPMENT  
COMPANIES

1 PROCEEDINGS

2 MR. KISCHAK: I want to open up  
3 this meeting of the YEDC. Can we  
4 have the roll call, please.

5 MS. LYRAS: Peter Kischak.

6 MR. KISCHAK: Here.

7 MS. LYRAS: Wilson Kimball.

8 MS. KIMBALL: Here.

9 MS. LYRAS: Melissa Nacerino.

10 MS. NACERINO: Here.

11 MS. LYRAS: And the Mayor and  
12 Cecile are both excused. We have a  
13 quorum.

14 MR. KISCHAK: Okay.

15 Resolutions for consideration.

16 Resolution One, Authorizing Mortgage  
17 Refinance for River Tides LLC.

18 MR. CURTI: Good morning  
19 members of the board. Michael Curti  
20 from Harris Beach PLLC.

21 This is a project involving  
22 River Tides and 1175 Warburton. The  
23 applicant is Ginsburg Development  
24 Companies for both locations.

25 River Tides is located at 1105

1 PROCEEDINGS

2 to 1135 Warburton Avenue, and 1175  
3 Warburton is located in short  
4 proximity to 1175, also known as 1183  
5 Warburton Avenue.

6 These projects were induced and  
7 approved by both the YEDC and the  
8 Yonkers IDA Board sometime ago, and  
9 the applicant is coming to you to  
10 refinance their debt on both  
11 properties, and also to secure new  
12 loan proceeds to make further  
13 improvements on both the properties  
14 and fund cash equity required for  
15 their next construction project,  
16 which is the Ludlow project in  
17 Yonkers.

18 The applicant is proposing to  
19 build a very sizable project which  
20 currently is going through master  
21 plan review before the City's Land  
22 Use boards. We should wrap up in May  
23 of next year.

24 The Ludlow project has been  
25 induced by the IDA and will require

1 PROCEEDINGS

2 extensive environmental remediation.

3 The property was owned by a  
4 predecessor of Con Edison. There was  
5 a manufacturing gas plant there, so  
6 it requires some extensive  
7 remediation. So the applicant will  
8 be working with Con Edison towards  
9 that end.

10 So the new money that they'll  
11 be looking to borrow is \$31,547,400,  
12 and they are looking to receive  
13 mortgage tax relief from this board.  
14 At 1.8 percent it will be \$567,823  
15 worth of relief.

16 The applicant's representative  
17 is here to talk a little bit about  
18 the project and field any questions  
19 you may have.

20 MR. MANIGLIA: Good morning,  
21 Mr. Chairman. Thank you for having  
22 us today. We are grateful for the  
23 assistance that we've received from  
24 the Yonkers IDA. But for this  
25 assistance, we wouldn't really be

1 PROCEEDINGS

2 able to engage in these projects.  
3 It's certainly on Warburton Avenue.  
4 And more notably, for our next  
5 project in Ludlow, which as Counsel  
6 noted, as Mike noted, requires  
7 extensive clean up. It's an old  
8 manufacturing gas plant.

9 But we're able to do this and  
10 regenerate some of these areas  
11 because we're able to refinance and  
12 convert our construction loan to  
13 permanent financing on Warburton  
14 Avenue.

15 We are getting ready to open  
16 access to people who live north of  
17 1133 River Tides to allow them access  
18 to the steps that we've -- staircase  
19 that we've created, 38 steps, that  
20 goes down from our driveway down to a  
21 train path that will allow them  
22 access to the Greystone train station  
23 platform. It will eliminate a good  
24 quarter mile walk for the  
25 neighborhood.

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2 So we've done that as community  
3 service for the neighborhood. We  
4 want to continually promote the area.

5 I would say that the 1175  
6 project, which is a smaller project,  
7 about 35 units, was the subject of a  
8 fire. I don't know if you remember  
9 that. While we were under  
10 construction, we did have our  
11 construction interrupted for about a  
12 year. The exact --

13 MR. RAMSAY: Yes, we lost a  
14 year.

15 MR. MANIGLIA: For about a year  
16 as well. But our interest today is  
17 certainly these two projects. We  
18 also would like to discuss at some  
19 point, whether it be appropriate  
20 today or not, the pilot as it relates  
21 to 1175 Warburton because we did lose  
22 a year in that process. But I guess  
23 that's not on the agenda for today so  
24 we can leave that for a second  
25 meeting.

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But we're grateful for the assistance of this IDA and the City of Yonkers and how we're able to proceed with the conversion of the construction lending for River Tides, which is about 335 units.

MR. RAMSAY: 30.

MR. MANIGLIA: 330 units. And of course 1177, which is 35 units.

MR. RAMSAY: 55.

MR. MANIGLIA: 55 units. So we're grateful for that, and we'll answer any questions you may have.

MR. KISCHAK: Any questions?

I just have one question: The remediation, are you getting any kind of federal assistance with that?

MR. MANIGLIA: We've applied to the -- and again this is in Ludlow, it doesn't apply to this project -- but we've applied for the Brownfield tax credit program. We've been accepted into the program for that specific site which is known as 150

1 PROCEEDINGS

2 Downing Street.

3 But there's more to just that  
4 site. Contiguous to us is the  
5 Westchester Metals Works. They will  
6 be closing on a piece of land on 1100  
7 Saw Mill River Road, which gives them  
8 more room -- it's about two and a  
9 half acres. They will move to that  
10 site, we will close on their previous  
11 site on Knowles contiguous to that.

12 We have to do borings in there  
13 to check the contamination there. We  
14 believe there's been migration.

15 In addition, we have to do some  
16 borings in the street on Ludlow  
17 Street and on Knowles Street where  
18 there's also been migration.

19 MR. KISCHAK: Where is that  
20 1100 Saw Mill River Road?

21 MR. MANIGLIA: It is the --  
22 that too is --

23 MS. KIMBALL: It's the old  
24 Rogan Brothers Construction dump.

25 MR. KISCHAK: Is that that rock



1 PROCEEDINGS

2 pile?

3 MS. KIMBALL: Yep.

4 MR. MANIGLIA: Yes.

5 MR. KISCHAK: So that filing --

6 MS. KIMBALL: They're  
7 remediating it. The City went  
8 through sort of an RFP process of  
9 which Ginsburg was very helpful in  
10 identifying potential purchasers,  
11 including Westchester Metal Works.

12 They are not only buying it and  
13 paying for it, which for years we  
14 thought we would have to pay for the  
15 remediation. But they're buying it,  
16 they're paying for it, they're paying  
17 for the remediation. And if they get  
18 Brownfield credits in excess of X  
19 amount of dollars, they're giving the  
20 City even more money for the project.

21 MR. KISCHAK: This has nothing  
22 to do with you, but --

23 MS. KIMBALL: Just so you know.

24 MR. KISCHAK: I'm curious about  
25 that rock pile there because it's

1 PROCEEDINGS

2 been there for years and years and  
3 years.

4 MS. KIMBALL: Right.

5 MR. KISCHAK: So there is a  
6 remediation there, there is some  
7 contamination?

8 MS. KIMBALL: As far as I  
9 know -- I mean you guys can get into  
10 it. They are applying for the  
11 Brownfield --

12 MR. KISCHAK: I mean, Mike, you  
13 and I, we've been talking about this  
14 for years.

15 MR. CURTI: Yeah. What's going  
16 to happen is Westchester Metal Works  
17 is going to acquire that parcel  
18 through Ginsburg Development.

19 MR. MANIGLIA: Well, they're  
20 acquiring it directly from the City.  
21 They've already acquired some parcels  
22 from Cianciulli.

23 MR. RAMSAY: They own some  
24 contiguous parcels.

25 MS. KIMBALL: Right.

1 PROCEEDINGS

2 MR. CURTI: And the idea is to  
3 keep them in Yonkers specifically.  
4 As part of the Ludlow transaction,  
5 they were looking to leave Yonkers.  
6 And I think there's a number of jobs  
7 there which will --

8 MS. KIMBALL: They're going to  
9 add some jobs --

10 MR. MANIGLIA: They're going to  
11 add 20 jobs. They have 32 people  
12 right now. It's less than an acre  
13 where they are on Knowles Street, and  
14 they'll expand to two and a half  
15 acres. That will be good for them.

16 MR CURTI: Their work is really  
17 done kind of within a building, and  
18 conforms with the uses that are  
19 there, which are basically industrial  
20 --

21 MR. KISCHAK: And what do they  
22 actually do?

23 MR. MANIGLIA: They manufacture  
24 ornamental steel and iron for various  
25 projects.

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MS. KIMBALL: Like gates and stuff. The closing for 1100 Saw Mill is scheduled for the 26th at 2:00.

MR. KISCHAK: After the meeting, can you send me that information.

MS. KIMBALL: Yes.

MR. KISCHAK: Only because -- just to let you know that I'm part of the Homefield Association. That's been a big problem for the homeowners in that section.

MR. MANIGLIA: I agree. And if I may add, there is -- first, of course, you have to deal with the pile.

MR. KISCHAK: Right.

MR. MANIGLIA: It's 25 feet. Utilizing the old maps, we believe that it was an automotive wrecking place.

MR. KISCHAK: Yes, it was.

MR. MANIGLIA: So there's probably some contamination under

1 PROCEEDINGS

2 that pile. They are prepared to go  
3 into the Brownfield credit program.

4 MR. KISCHAK: I agree. I used  
5 to own an auto repair shop. When I  
6 was a kid, my dad used to send me to  
7 an auto wreckage yard. They used to  
8 pile their motors in one section,  
9 their transmissions and rear ends,  
10 and they never drained them. All  
11 that stuff just leaked into the soil.  
12 So there probably is a lot of  
13 contamination.

14 MR. CURTI: I think the good  
15 news on that story is that you're  
16 going to have the pile removed.

17 MR. KISCHAK: There's an  
18 ending.

19 MS. KIMBALL: Yeah.

20 MR. CURTI: There's going to be  
21 an ending, which is important.  
22 You're going have the City made  
23 whole, because they've been out of  
24 tax money for all these years.

25 On top of that you're going to

1 PROCEEDINGS

2 keep the jobs here in Yonkers, you're  
3 going to have further growth. And on  
4 top of it all, you're going to clean  
5 anything that's underneath there.

6 MR. KISCHAK: Right.

7 MR. MANIGLIA: I would say the  
8 synergies really are good here. We  
9 need to do it rapidly, they need to  
10 do it rapidly.

11 MR. KISCHAK: Right.

12 MR. MANIGLIA: Everybody in  
13 Brownfield's program's here. We  
14 cleaned two sites and they expanded  
15 and added about 20 people.

16 MR. KISCHAK: That's good news.  
17 All right. We'll take a vote.

18 MS. KIMBALL: Motion car --

19 MR. KISCHAK: Motion.

20 MS. GROSZ: Second.

21 MR CURTI: Just one thing  
22 before you take a vote just so it's  
23 clear for the record.

24 So the amount of MRTE relief,  
25 in the event that the full

1 PROCEEDINGS

2 1.8 percent is provided will be about  
3 \$567,000.

4 There's been some issues we've  
5 had with the Department of State  
6 Taxation and Finance in so far as  
7 whether they will accept the full 30  
8 basis points of the MTA exemption.

9 So they rejected a couple of  
10 mortgages, arguing that the tax has  
11 to be paid. We respectfully disagree  
12 with that finding. We believe it's  
13 not supported by the long established  
14 rulings that they've held since 1996.

15 But notwithstanding that, in  
16 the event that they do require the  
17 tax to be paid, the mortgage reported  
18 tax exemption will be approximately  
19 \$473,000. I just want to put that on  
20 the record for clarity.

21 MR. KISCHAK: Motion.

22 MS. KIMBALL: Second.

23 MR. KISCHAK: All in favor?

24 (A chorus of ayes.)

25 MR. KISCHAK: Thank you.

1 PROCEEDINGS

2 MR. MANIGLIA: Thank you very  
3 much.

4 MR. KISCHAK: Second  
5 Resolution, Authorizing Mortgage  
6 Refinance 1175 Warburton Avenue LLC.

7 MR. MANIGLIA: It's part two of  
8 the Yonkers River Tides project.  
9 55 units, three and a half story  
10 building. There was an amalgam of  
11 lots that we put together from  
12 abandoned houses, single family homes  
13 that had as its last residents a  
14 family of raccoons and deer.

15 So finally that was -- we took  
16 care of that. We cured the blight, I  
17 believe. And we are doing well  
18 there.

19 And those folks as well utilize  
20 the facilities at River Tides because  
21 it's a short walk up, and they will  
22 also use the new stair and train path  
23 to the Greystone train station.

24 MR. KISCHAK: Those apartments,  
25 what's the rental fees going to be?



1 PROCEEDINGS

2 MR. MANIGLIA: Those are in  
3 operation now.

4 MR. RAMSAY: Anywhere from  
5 \$2,400 to \$3,200.

6 MS. KIMBALL: And there's one  
7 affordable one, right?

8 MR. MANIGLIA: There is one  
9 affordable, yes.

10 MS. KIMBALL: They came in  
11 under the code.

12 MR. MANIGLIA: All Right.

13 MR. KISCHAK: Motion.

14 MS. KIMBALL: Second

15 MR. KISCHAK: All in favor.

16 (A chorus of ayes.)

17 MR. KISCHAK: I guess there's  
18 no legal updates. Mike, do you have  
19 any legal updates.

20 MR. CURTI: No legal updates.

21 MR. KISCHAK: Is there any  
22 other business?

23 MS. KIMBALL: Motion to  
24 adjourn.

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MR. KISCHAK: All in favor?

(A chorus of ayes.)

MR. KISCHAK: Thank you.

(Whereupon, at 9:17 A.M., the  
above matter concluded.)

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PROCEEDINGS

C E R T I F I C A T E

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

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

That the above is a correct  
transcription of my stenographic notes.

I further certify that I am not  
related to any of the parties to this  
action by blood or by marriage and that I  
am in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of August 2019.

*Nathan Davis*

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NATHAN DAVIS

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