

## Sale of Beth Rifka still in judge's hands

By RON DesJARLAIS

A move to block today's foreclosure sale of the former Beth Rifka Nursing Home in Concord was apparently unresolved late yesterday afternoon.

An aide to the Manhattan Bankruptcy Court judge handling the matter said the judge himself didn't know whether the auction would go ahead as scheduled.

The judge, John Galgay, reportedly gave former U.S. Attorney General Ramsey Clark until noon yesterday to come up with a concrete alternative to foreclosure. Clark has mounted his second last-minute move to block it.

If he fails, the state will lose 40 percent of the property's value.

Clark is the receiver for the defaulted mortgagee, former nursing home baron Bernard Bergman, who still owes the state a significant portion of \$2.5 million in restitution ordered after his convictions stemming from investigations into his mas-

sive nursing home empire.

The Bergman company that owns the Targee Street property declared bankruptcy in 1977, one day before the original foreclosure sale was to take place. The property has been tied up in bankruptcy court since then.

Clark's first alternative proposal, using the building to relocate people in state institutions, was rejected last week by the state Office of Mental Retardation and Developmental Disabilities.

Clark reportedly has raised the possibility of using the property for another nursing home, and has reportedly requested the help of State Sen. John Marchi, the state Health Department and Gov. Mario M. Cuomo's office.

Telephone calls to Clark, a lawyer for the bankruptcy trustee in custody of the property and state Health Department spokesman William Fagel were not returned.