

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
SATURDAY, MARCH 21, 2009

TIME: 9:50 A.M.

PRESENT: PRESIDENT OF THE COUNCIL
 CHUCK LESNICK

DISTRICT
2 MAJORITY LEADER SANDY ANNABI
4 MINORITY LEADER LIAM J. McLAUGHLIN

COUNCIL MEMBERS:
DISTRICT
1 PATRICIA D. McDOW
3 JOAN GRONOWSKI
5 JOHN M. MURTAGH
6 DEE BARBATO

I, THE UNDERSIGNED PRESIDENT OF THE CITY COUNCIL,
PURSUANT TO RULE 1 (2) OF THE CITY COUNCIL RULES, DO
HEREBY CALL A SPECIAL MEETING OF THE CITY COUNCIL, TO BE
HELD ON SATURDAY, MARCH 21, 2009 IN THE CITY COUNCIL
CHAMBERS, FOURTH FLOOR, CITY HALL, YONKERS, NEW YORK AT
9:00 A.M. FOR THE FOLLOWING PURPOSE:

TO DISCUSS AND TAKE ACTION ON:

1. A LOCAL LAW TO MODIFY THE REDESIGNATION OF CERTAIN
 AREAS WITHIN THE YONKERS EMPIRE ZONE ESTABLISHED
 UNDER ARTICLE 18-B OF THE GENERAL MUNICIPAL LAW
 ENTITLED "NEW YORK STATE EMPIRE DEVELOPMENT ZONE
 ACT".
2. ALL OTHER ITEMS PROPERLY COMING BEFORE THE
 COUNCIL.

CHUCK LESNICK
CITY COUNCIL PRESIDENT

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COMMITTEE OF THE WHOLE

<u>NAME:</u>	<u>ADDRESS:</u>	<u>ITEM NO:</u>
1. Terry Joshi	29 Rockland Avenue, Yonkers	1
2. Diana Winocur	1304 Midland Avenue Rep. Midland Ave. Homeowners	1
3. Margaret Setterholm	146 Warburton Avenue	1
4. Martin McGloine		1
5. Debra Cohen		1

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LOCAL LAW NO. 1-2009

1. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW AND BARBATO:

A LOCAL LAW TO MODIFY THE REDESIGNATION OF CERTAIN AREAS WITHIN THE YONKERS EMPIRE ZONE ESTABLISHED UNDER ARTICLE 18-B OF THE GENERAL MUNICIPAL LAW ENTITLED "NEW YORK STATE EMPIRE DEVELOPMENT ZONE ACT"

WHEREAS, pursuant to Article 18-B of the New York State General Municipal Law, as amended (the "Act"), the Yonkers City Council authorized, pursuant to Local Law No. 3-1987 adopted on February 23, 1988, the submission and execution of the final application for designation of certain areas in the City of Yonkers (the "City") as an Economic Development Zone within the meaning of the Act, and such designation was approved by the New York State Commissioner of Economic Development (the "Commissioner") for an Economic Development Zone (now known as an Empire Zone), which application was amended by Local 13-1989 and Local Law 1-1992 and approved by the Commissioner; and

WHEREAS, the City Council authorized, pursuant to Local Law 1-2002, the submission of proposed revised and expanded boundaries for the Yonkers Empire Zone to the Commissioner and received approval from the Commissioner for its revised and expanded boundaries in accordance with Section 969(c) of the Act, effective as of March 12, 2002; and

WHEREAS, in accordance with certain amendments made to the Act by Chapter 63, Laws of 2005 and Chapter 161, Laws of 2005, the City was required to re-configure its existing zone acreage into three "distinct and separate contiguous" areas (the "Re-designation") subject to the approval of the Commissioner and the N.Y.S. Empire Zones Designation Board (the "State Board"); and

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LOCAL LAW NO. 1-2009 (CONTINUED)

WHEREAS, the City Council authorized, pursuant to Local Law No. 8-2005 adopted on December 29, 2005, that the Re-designation, submitted by the Yonkers Empire Administrative Board (the "Board") be submitted to the Commissioner and State Board for their approval; and

WHEREAS, certain technical corrections to the schedules attached to the Re-designation contained in Local Law No. 8-2005 were submitted to the City Council and filed with the Secretary of State on April 11, 2007, which corrections did not change the boundaries or the distinct and separate contiguous areas of the Yonkers Empire Zone; and

WHEREAS, it is desirable that certain modifications be made to the boundaries constituting the Re-designation and contained in Local Law No. 8-2005 to accommodate future redevelopment and expansion of the Cross County Center and Redevelopment Projects proposed by Struever Fidelco Cappelli LLC for the River Park Center and Cacace Center in the downtown sector of Yonkers,

NOW, THEREFORE, BE IT ENACTED, by the City Council of the City of Yonkers:

Section 1. The minor modifications to the boundaries of the Re-designation as presented to the City Council, as set forth in Exhibit A attached hereto and made a part hereof, are hereby approved, provided that the modified Re-designation shall show that approximately 53.89 zone acres be removed from Area 2; that approximately 47.51 zone acres be added to Area 1; and that approximately 6.39 zone acres be added to Area 3, and provided further that the existing number of 1,235.4 zone acres in the Yonkers Empire Zone (where the maximum acreage allowed under the Act is 1,280 acres) does not change; that there will be no adverse affect on any tax parcels or businesses in the Yonkers Empire Zone; and that the modifications will not affect the distinct and separate contiguous areas within the Yonkers Empire Zone.

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LOCAL LAW NO. 1-2009 (CONTINUED)

Section 2. Local Law 8-2005 is hereby amended to reflect the minor modification to the Re-designation as set forth in this Local Law and shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Section 3. This Local Law shall take effect immediately upon its enactment into law.

THIS LOCAL LAW WAS ADOPTED AT A SPECIAL CITY COUNCIL MEETING HELD ON SATURDAY, MARCH 21, 2009 BY A ROLL CALL VOTE OF 5-2, COUNCILMEMBERS GRONOWSKI AND MURTAGH VOTING "NAY"

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THIS SPECIAL COUNCIL MEETING WAS ADJOURNED AT 11:15 A.M.