

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, APRIL 14, 2009

Committee of the Whole 7:30 P.M.
Stated Meeting 8:00 P.M.
City Council Chambers

TIME: 8:25 PM.

PRESENT: PRESIDENT OF THE COUNCIL
 CHUCK LESNICK

DISTRICT

 2 MAJORITY 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

Recitation of the Pledge of Allegiance to the Flag followed by a minute of silence to invoke God's guidance and Blessing upon our deliberations.

Minutes of the Stated Meeting held on March 24, 2009 and special meetings held on March 21, 2009 and April 1, 2009 approved on motion of Majority Leader Sandy Annabi.

MOTION BY MINORITY LEADER McLAUGHLIN, SECONDED BY COUNCILMEMBER McDOW, TO RECONSIDER THE MARCH 24, 2009 STATED COUNCIL MEETING TO ALLOW MAJORITY LEADER ANNABI TO VOTE IN THE AFFIRMATIVE. THE MOTION WAS CARRIED UNANIMOUSLY AND MAJORITY LEADER ANNABI VOTED "YEA".

MOTION BY MINORITY LEADER McLAUGHLIN, SECONDED BY COUNCILMEMBER McDOW, TO RECONSIDER THE APRIL 1, 2009 SPECIAL COUNCIL MEETING TO ALLOW COUNCILMEMBER BARBATO TO VOTE IN THE AFFIRMATIVE. THE MOTION WAS CARRIED UNANIMOUSLY AND COUNCILMEMBER BARBATO VOTED "YEA".

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COMMUNICATIONS FROM CITY OFFICIALS

1. From the Yonkers Planning Board, dated March 26, 2009, a Resolution in response to the City Council's request for an advisory recommendation with regard to the propose zoning amendments to various sections of the Yonkers Zoning Ordinance relating to the SFC Development proposal.
2. From the Yonkers Planning Board, dated March 26, 2009, a Resolution in response to the City Council's request for an advisory recommendation with regard to the proposed Downtown Yonkers Waterfront Master Plan.
3. A memorandum dated March 31, 2009 from Lee J. Ellman, Planning Director, to Council President Lesnick regarding the Proposed Zoning Ordinance Amendments for the SFC/Downtown Project.
4. From the Yonkers Planning Board, dated March 26, 2009, a Resolution in response to the City Council's request for an advisory recommendation regarding the proposed discontinuance of all of the following: Ann Street, Henry Herz Street, James Street, John Street, Engine Place, and the partial discontinuance of School Street between Nepperhan Avenue and Palisade Avenue/Elm Street and the partial discontinuance of Guion Street between New Main Street and the proposed new city detention facility at the Cacace Center (approximately 375 feet to be discontinued from New Main Street).
5. From the Yonkers Planning Board, dated March 26, 2009, a Resolution in response to the City Council's request for an advisory recommendation in regard to Riverview Nieghborhood Development Program Urban Renewal Plan, NDP area 1 and Area 2, for its review and adoption.
6. From the Yonkers Planning Board, dated March 26, 2009, a Resolution with regard to the proposed Getty Square Urban Renewal Plan.

FILED

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COMMUNICATIONS GENERALLY

1. Correspondence to Majority Leader Annabi and the City Council from Ronald Masciandaro owner of The Pizza Place in support of the proposed General Ordinance relating to parking meter zones.

- 2 .Correspondence to Councilmember McDow from Steve Sansone, Executive Director of the Yonkers Downtown Waterfront BID in support of proposed General Ordinance relating to parking meter zones.

FILED

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COMMITTEE OF THE WHOLE

<u>NAME</u>	<u>ADDRESS</u>	<u>ITEM #</u>
Manuel Brea	31 Cornell Avenue,	14

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GENERAL ORDINANCE

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

A GENERAL ORDINANCE AMENDING GENERAL ORDINANCE NO.24-1968 AS READOPTED, CONFIRMED, REENACTED AND REAFFIRMED BY GENERAL ORDINANCE NO. 39-1970 (COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF YONKERS) AND THE ZONING MAP BY CORRECTING SAID MAP BY CHANGING THE ZONE CLASSIFICATION OF LOT 46 IN BLOCK 2146 ALSO KNOWN AS 382 WARBURTON AVENUE FROM ITS PRESENT RESIDENTIAL ZONE DISTRICT CLASSIFICATION TO A "B" ZONE DISTRICT.

Be it ordained by the City Council of the City of Yonkers, as follows:

Section 1. General Ordinance No. 24-1968 as readopted, confirmed, reenacted and reaffirmed by General Ordinance No. 39-1970, commonly known as the Zoning Ordinance of the City of Yonkers and the zoning map, is hereby amended by correcting said map by changing the zone district classification of Block 2146, Lot 46 as shown and designated on the Official Tax Map of the City of Yonkers, said property also known as 382 Warburton Avenue, Yonkers, N.Y, from its present residential zone district classification to a "B" zone district classification.

Section 2. This ordinance shall take effect immediately.

A PUBLIC HEARING WAS SET FOR THE ABOVE GENERAL ORDINANCE
FOR THE MAY 12, 2009 COUNCIL MEETING.

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GENERAL ORDINANCE NO.1-2009

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

A GENERAL ORDINANCE AMENDING CHAPTER 109 OF THE CODE OF THE CITY OF YONKERS ALSO KNOWN AS "VEHICLES AND TRAFFIC" REGARDING CREATION OF NEW ZONES WHERE PARKING METERS WILL BE IN FORCE UNTIL 10 P. M.

Be it ordained by the City Council of the City of Yonkers, as follows:

Section 1. Chapter 109 of the Code of the City of Yonkers, which is entitled "Vehicles and Traffic," is hereby amended in part by adding a new subsection (C) to the existing §109-96 of the City Code, which is entitled "Method of parking," to read as follows:

"§ 109-96. Method of Parking.

C. Notwithstanding the provisions of Subsection A of this Section in relation to limiting the hours and days of enforcement in parking meter zones, the City of Yonkers may enforce the meters between the hours of 6:00 p.m. and 10:00 p.m. within the parking meter zones on: Main Street, west of Warburton Avenue, continuing to its terminus; the entire length of Water Grant Street; the entire length of Pierpointe Place."

Section 2. Chapter 109 of the Code of the City of Yonkers, which is entitled "Vehicles and Traffic," is hereby amended in part by amending Section 109-108 of the City Code, which is entitled "Meter zones established" by adding the following streets to the list set forth therein of parking meter zones: Main Street, North and South Sides, from Buena Vista Avenue to the Hudson River; Water Grant Street, East and West Sides, South from Main Street to its terminus; Pierpointe Place, East and West Sides, for its entire length; Buena Vista Avenue between Hudson Street and Main Street.

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GENERAL ORDINANCE NO.1-2009 (CONTINUED)

Section 3. This ordinance shall take effect immediately.

A MOTION BY COUNCIL PRESIDENT LESNICK, SECONDED BY COUNCILMEMBER ANNABI TO ADD THE FOLLOWING TO THE ABOVE RESOLUTION; TO INCLUDE BUENA VISTA AVE. BETWEEN HUDSON STREET AND MAIN STREET.

THIS GENERAL ORDINANCE WAS ADOPTED AS AMENDED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.40-2009

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

WHEREAS, CONSOLIDATED EDISON has submitted an application for a Special Use Permit for property it owns at 15 Grassy Sprain Road, also known as Block 4001 Lot 150; and

WHEREAS, that the proposed use is a minor change to the Con Edison site, as the proposal is to make a minor addition to an existing office building within the Con Edison substation and will not be visible from outside the site, and there are no concerns with respect to lighting, landscaping, traffic or circulation in regard to this application;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers, in meeting assembled that that the aforementioned application of CONSOLIDATED EDISON should be approved; and be it further

RESOLVED, that upon the record and findings of the Planning Board with respect to the application submitted by Mr. ALAN DORANS, on behalf of CONSOLIDATED EDISON (owner) for a Special Use Permit for a utility substation at Block 4001, Lot 150, on the property known as 15 Grassy Sprain Road, pursuant to Article VII and IX of The Zoning Code of the City of Yonkers. The decision and actions of the Planning Board of the City of Yonkers are hereby approved, subject to the conditions set forth in the decision of the Planning Board.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION 41-2009

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

RESOLVED, by the City Council of the City of Yonkers, in meeting assembled:

That the settlement by the Corporation Counsel in the amount of EIGHT HUNDRED NINE and 02/100 DOLLARS (\$809.02) of the action entitled, "ALLSTATE INSURANCE COMPANY A/S/O JOYCE RUFFO, residing at 1853 Central Park Avenue, Yonkers, New York 10710 plaintiff, against THE CITY OF YONKERS, Defendant", for property damage arising out of an incident in which it is alleged that a Yonkers Police Department vehicle struck plaintiff's vehicle which was parked and unoccupied on the access road to 1853 Central Park Avenue in the City of Yonkers on the 16th day of March, 2007, be and the same hereby is approved and the Comptroller of the City of Yonkers is directed to draw his warrant in the amount of EIGHT HUNDRED NINE and 02/100 DOLLARS (\$809.02) in favor of said plaintiff and its attorneys, Carl S. Young & Associates.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION

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

WHEREAS, the City of Yonkers currently imposes an Income Tax Surcharge and a Non-Resident Earnings tax authorized pursuant to Article 30A of the Tax Law of the State of New York; and

WHEREAS, said authorization is scheduled to terminate on December 31,2009 unless said date is extended; and

WHEREAS, a necessity continues to exist for the revenues generated by the income tax surcharge and the non-residents earnings tax in order to balance the budget in future fiscal years; and

WHEREAS, Senate Bill No. S. 3335 and Assembly Bill No. AO.6899 have been introduced into the New York State Legislature for the purpose of extending the income tax surcharge and the non-resident earnings tax for a period of two years.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Yonkers hereby issues this Home Rule Request Message for Senate Bill No. S. 3335 and Assembly Bill No. Ao.6899 to amend Article 30A of the New York State Tax Law to extend the termination date of the income tax surcharge and the non-resident earnings tax until December 31, 2011 to allow the continuation of these necessary revenues; and

BE IT FURTHER RESOLVED, that the City Council requests the City Clerk to forward a copy of this Home Rule Request Message to the Legislature of the State of New York requesting the passage of the aforesaid bills.

THIS RESOLUTION WAS REFERRED TO THE RULES COMMITTEE.

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RESOLUTION

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

WHEREAS, the City of Yonkers currently receives revenue from a Mortgage Recording Tax, the imposition of which is authorized under New York State Tax Law, Article 11, Section 253-d, and

WHEREAS, this Mortgage Recording Tax provides supplemental revenue to the City of Yonkers at a rate of nearly \$2.9 Million Dollars per budget year, and

WHEREAS, this Mortgage Recording Tax is set to expire by operation of law on August 31, 2009, unless said date is extended, and

WHEREAS, should the Mortgage Recording Tax expire, the loss of such revenue at this time will result in a gap between the revenue and expenditures of the City of Yonkers; and

WHEREAS, Senate Bill No.S. 3334 and Assembly Bill No. AO. 6897 have been introduced into the New York State Legislature for the purpose of extending said authorization.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Yonkers hereby issues this Home Rule Request Message for Senate Bill No. S. 3334 and Assembly Bill No. AO. 6897 to amend Section 253-d of Article 11 of the New York State Tax Law to extend until August 31, 2011, the Mortgage Recording Tax of the City of Yonkers; and

BE IT FURTHER RESOLVED, that the City Council requests the City Clerk to forward a copy of this Home Rule Request Message to Legislature of the State of New York requesting the passage of the of the aforesaid bills.

THIS RESOLUTION WAS REFERRED TO THE RULES COMMITTEE.

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

WHEREAS, the authorization for the City of Yonkers to negotiate the private sale of its bonds and notes is vital to improving the City's financial stability and independence, and

WHEREAS, the continuance of this power will allow more cost-effective financing of the City's debt, and

WHEREAS, the City's bonding authority will expire on June 30, 2009 unless it is extended one year, and

WHEREAS, Senate Bill No. S.3336 and its companion bill, Assembly Bill No. A0.6898 have been introduced into the New York State legislature, and

WHEREAS, these bills will permit the private sale of bonds or notes by the City of Yonkers, subject to the approval of the State Comptroller, and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Yonkers hereby declares that the enactment of S.3336 and AO.6898 are in the best interests of the City and is essential to improving the city's financial stability and independence, and

BE IT FURTHER RESOLVED, that the City Council requests the City Clerk to forward a copy of this Home Rule Request Message to the Legislature of the State of New York requesting the passage of the aforesaid bills.

THIS RESOLUTION WAS REFERRED TO THE RULES COMMITTEE.

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RESOLUTION NO.42-2009

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

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR WESTCHESTER COUNTY'S HOUSING IMPLEMENTATION FUND ON BEHALF OF MULFORD GARDENS COMMUNITY PARTNERS, L.P. TO ASSIST WITH THE DEVELOPMENT OF THE INFRASTRUCTURE IN SUPPORT OF THE DEVELOPMENT OF MULFORD HOPE VI SITE E, A DEVELOPMENT CONTAINING 155 DWELLING UNITS ON A PORTION OF THE PROPERTY KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE CITY OF YONKERS AS SECTION 2, BLOCK 2084, LOT 1.

WHEREAS, Mulford Gardens Community Partners, L.P. (a related entity of The Richman Group Development Corporation) has received site plan, special permit and subdivision approvals from the Yonkers Planning Board to permit the development of 240 dwelling units, together with related parking and infrastructure on the property known and designated on the tax assessment map of the City of Yonkers as Section 2 Block 2084, Lot 1 which property is also commonly referred to as "Mulford Hope VI Sites D and E" (the "Project"); and

WHEREAS, Mulford Gardens Community Partners, L.P. intends to construct the Project in phases; and

WHEREAS, the first phase of the Project will include the construction of 85 dwelling units on that portion of the Property referred to as "Site D", together with related parking and infrastructure; and

WHEREAS, the second phase of the Project will include the construction of 155 dwelling units on that portion of the Property referred to as "Site E", together with related parking and infrastructure; and

WHEREAS, the County of Westchester's Housing Implementation Fund can assist in helping to defray the cost of the public improvements related to the Project to ensure the affordability of the Project; and

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RESOLUTION NO.42-2009 (CONTINUED)

WHEREAS, the Yonkers Community Development Agency has approved the plans which the Municipal Housing Authority for the City of Yonkers ("MHACY") and its redeveloper, Mulford Gardens Community Partners, L.P have prepared for the Project;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers hereby authorizes the Mayor to apply for available funding under the County of Westchester Housing Implementation Fund for the second phase of the Project to which the City shall make a diligent application for in an amount not to exceed \$6.5 Million; and be it further

RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.43-2009

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

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR WESTCHESTER COUNTY'S HOUSING IMPLEMENTATION FUND ON BEHALF OF MULFORD GARDENS COMMUNITY PARTNERS, L.P. TO ASSIST WITH THE DEVELOPMENT OF THE INFRASTRUCTURE IN SUPPORT OF THE DEVELOPMENT OF MULFORD HOPE VI SITE D, A DEVELOPMENT CONTAINING 85 DWELLING UNITS ON A PORTION OF THE PROPERTY KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE CITY OF YONKERS AS SECTION 2, BLOCK 2084, LOT 1.

WHEREAS, Mulford Gardens Community Partners, L.P. (a related entity of The Richman Group Development Corporation) has received site plan, special permit and subdivision approvals from the Yonkers Planning Board to permit the development of 240 dwelling units, together with related parking and infrastructure on the property known and designated on the tax assessment map of the City of Yonkers as Section 2 Block 2084, Lot 1 which property is also commonly referred to as "Mulford Hope VI Sites D and E" (the "Project"); and

WHEREAS, Mulford Gardens Community Partners, L.P. intends to construct the Project in phases; and

WHEREAS, the first phase of the Project will include the construction of 85 dwelling units on that portion of the Property referred to as "Site D", together with related parking and infrastructure; and

WHEREAS, the second phase of the Project will include the construction of at least 155 dwelling units on that portion of the Property referred to as "Site E", together with related parking and infrastructure; and

WHEREAS, the County of Westchester's Housing Implementation Fund can assist in helping to defray the cost of the public improvements related to the Project to ensure the affordability of the Project; and

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RESOLUTION NO.43-2009 (CONTINUED)

WHEREAS, the Yonkers Community Development Agency has approved the plans which the Municipal Housing Authority for the City of Yonkers ("MHACY") and its redeveloper, Mulford Gardens Community Partners, L.P have prepared for the Project;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers hereby authorizes the Mayor to apply for available funding under the County of Westchester Housing Implementation Fund for the first phase of the Project to which the City shall make a diligent application for in an amount not to exceed \$4.0 Million; and be it further

RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.44-2009

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

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR WESTCHESTER COUNTY'S HOUSING IMPLEMENTATION FUND ON BEHALF OF MULFORD GARDENS COMMUNITY PARTNERS, L.P. TO ASSIST WITH THE DEVELOPMENT OF THE INFRASTRUCTURE IN SUPPORT OF THE DEVELOPMENT OF MULFORD HOPE VI SITE "I", A DEVELOPMENT CONTAINING 15 DWELLING UNITS ON THE PROPERTY KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE CITY OF YONKERS AS SECTION 2, BLOCK 2080, LOT 56 (F/K/A BLOCK 2080, LOTS 55, 56 AND 72).

WHEREAS, Mulford Gardens Community Partners, L.P. (a related entity of The Richman Group Development Corporation) has received site plan, special permit and subdivision approvals from the Yonkers Planning Board to permit the development of 15 dwelling units, together with related parking and infrastructure (the "Project") on the property known and designated on the tax assessment map of the City of Yonkers as Section 2 Block 2080, Lot 56 (f/k/a Block 2080, Lots 55, 56 and 72) which property is also commonly referred to as "Mulford Hope VI Site 'I'" (also commonly referred to as the "Vineyard Firehouse Site"); and

WHEREAS, the County of Westchester's Housing Implementation Fund can assist in helping to defray the cost of the public improvements related to the Project to ensure the affordability of the Project; and

WHEREAS, the Yonkers Community Development Agency has approved the plans which the Municipal Housing Authority for the City of Yonkers ("MHACY") and its redeveloper, Mulford Gardens Community Partners, L.P have prepared for the Project;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers hereby authorizes the Mayor to apply for available funding under the County of Westchester Housing Implementation Fund to which the City shall make a diligent application for in an amount not to exceed \$600,000; and be it further

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RESOLUTION NO.44-2009 (CONTINUED)

RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.45-2009

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

A RESOLUTION WAIVING THE RIGHT TO PURCHASE OR REPURCHASE FROM THE COUNTY OF WESTCHESTER PROPERTY ACQUIRED BY THE COUNTY UNDER THE NEW HOMES LAND ACQUISITION PROGRAM OF ASSISTANCE FOR AFFORDABLE HOUSING PROJECTS.

WHEREAS, in connection with the proposed utilization of the County of Westchester's program of financial assistance for affordable housing project, known as the "New Homes Land Acquisition ("NHLA") program, the County of Westchester desires to purchase from the Municipal Housing Authority for the City of Yonkers ("MHACY"), and then convey to the Yonkers Industrial Development Agency (the "YIDA") or to Mulford Gardens Community Partners, L.P. (a related entity of The Richman Group Development Corporation) approximately 11.97 acres of real property referred to as "Mulford Hope VI Sites D and E", also known on the tax assessment map of the City as Section 2 Block 2084, Lot 1 (the "Property") for the purpose of providing affordable housing units for a period of not less than forty (40) years; and

WHEREAS, the City of Yonkers supports the development of affordable housing on the Property, subject to any applicable subdivision and other governmental land use requirements, and hereby waives any rights to purchase the Property under the following terms and conditions:

1. For use in perpetuity for park and municipal recreation purposes for the sum of one dollar (\$1.00);
2. For the purpose of furthering the development of affordable housing or for other municipal purposes, at the current appraised value as determined by the Board of Legislators, or for no more than the same consideration for which it is proposed to be sold to the YIDA or Mulford Gardens Community Partners, L.P., or its affiliate, whichever is less;

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RESOLUTION NO.45-2009 (CONTINUED)

- 3 Deeds conveying said Property to Mulford Gardens Community Partners, L.P. for either purpose shall include clauses specifying said purpose and that the Property shall revert to the County if it is not utilized for those purposes within five (5) years or at any time that such specifically enumerated use ceases;
4. This opportunity to purchase this Property shall not constitute a right to purchase and may be withdrawn by the County at any time;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF YONKERS, THAT:

1. The City of Yonkers hereby declares its support for the aforesaid Project; and
2. The City of Yonkers waives and relinquishes any rights that it may have under the aforesaid opportunity to purchase or repurchase the Property; and
3. This resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, APRIL 14, 2009

RESOLUTION NO.46-2009

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

A RESOLUTION WAIVING THE RIGHT TO PURCHASE OR REPURCHASE FROM THE COUNTY OF WESTCHESTER PROPERTY ACQUIRED BY THE COUNTY UNDER THE NEW HOMES LAND ACQUISITION PROGRAM OF ASSISTANCE FOR AFFORDABLE HOUSING PROJECTS.

WHEREAS, in connection with the proposed utilization of the County of Westchester's program of financial assistance for affordable housing project, known as the "New Homes Land Acquisition ("NHLA") program, the County of Westchester desires to purchase from the Municipal Housing Authority for the City of Yonkers ("MHACY"), and then convey to the Yonkers Industrial Development Agency (the "YIDA") or to Mulford Gardens Community Partners, L.P. (a related entity of The Richman Group Development Corporation) approximately 0.33 acres of real property commonly referred to as "Mulford Hope VI Site 'I'", and also known on the tax assessment map of the City as Section 2 Block 2080, Lot 56 (f/k/a Block 2080, Lots 55, 56 and 72)(the "Property") for the purpose of providing affordable housing units for a period of not less than forty (40) years; and

WHEREAS, the City of Yonkers supports the development of affordable housing on the Property, subject to any applicable subdivision and other governmental land use requirements, and hereby waives any rights to purchase the Property under the following terms and conditions:

1. For use in perpetuity for park and municipal recreation purposes for the sum of one dollar (\$1.00);
2. For the purpose of furthering the development of affordable housing or for other municipal purposes, at the current appraised value as determined by the Board of Legislators, or for no more than the same consideration for which it is proposed to be sold to the YIDA or Mulford Gardens Community Partners, L.P., or its affiliate, whichever is less;

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RESOLUTION NO.46-2009 (CONTINUED)

3. Deeds conveying said Property to Mulford Gardens Community Partners, L.P. for either purpose shall include clauses specifying said purpose and that the Property shall revert to the County if it is not utilized for those purposes within five (5) years or at any time that such specifically enumerated use ceases;
4. This opportunity to purchase this Property shall not constitute a right to purchase and may be withdrawn by the County at any time;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF YONKERS, THAT:⁵The City of Yonkers hereby declares its support for the aforesaid Project; and

1. The City of Yonkers declares its support for the aforesaid project; and
2. The City of Yonkers waives and relinquishes any rights that it may have under the aforesaid opportunity to purchase or repurchase the Property; and
3. This resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, APRIL 14, 2009

RESOLUTION NO.47-2009

12 A. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, New York Main Street Program provides financial resources and technical assistance to communities to strengthen the economic vitality of the State's traditional Main Streets and neighborhoods; and

WHEREAS, the NY Main Street grant program provides funds from the New York State Housing Trust Fund Corporation (HTFC) to business improvement districts and other not-for-profit organizations that are committed to revitalizing historic downtowns, mixed-use neighborhood commercial districts, and village centers; and

WHEREAS, New York's Main Streets are in transition, while many downtown and neighborhood retail districts have seen new life, with significant investment in the development of civic, commercial and residential projects, others have not yet experienced this trend; many of these communities can once again thrive with proper management and strategic investment of public and private resources; and

WHEREAS, the New York Main Street grant program provides funding for building renovations, façade and streetscape improvements and, in limited cases, capital funding for projects intended to anchor downtown districts; the program also provides technical assistance and other resources to support community revitalization efforts;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers supports the New York Main Street Program as well as the Greyston Foundation petition to the program for assistance on their Workforce Housing Development Project.

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RESOLUTION NO.47-2009 (CONTINUED)

BE IT FURTHER RESOLVED, this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.48-2009

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

BE IT RESOLVED, that the following applicant(s) are hereby appointed and/or reappointed to the office of Commissioner of Deeds for a period of two years to expire on May 31, 2009.

Luis Gonzalez
436 Park Hill Avenue
Yonkers, New York 10705

Case Manager – St. Johns Hospital

RENEWAL

Evelyn Rosado
26 Loudoun Street
Yonkers, New York 10705

Clerk – Board of Education

RENEWAL

Sonia Diaz
263 Palisade Avenue, Apt. 3N
Yonkers, New York 10703

Clerk – Board of Education

RENEWAL

Donald Weigand
150 E. Hartsdale Avenue
Hartsdale, New York 10530

City of Yonkers – Clerk

NEW

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RESOLUTION NO.48-2009 (CONTINUED)

Leona Torres
538 Riverdale Avenue
Yonkers, New York 10705

Legal Assistant – Law firm

RENEWAL

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.49-2009

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

WHEREAS, tobacco use kills over 25,000 New Yorkers every year, and is the leading preventable cause of death in our communities; and

WHEREAS, the Surgeon General has concluded that tobacco advertising contributes to youth smoking rates; and

WHEREAS, each year tobacco companies spent \$15.4 billion to market cigarettes in the United States, including \$ 516 million in New York; and

WHEREAS, over 24,900 youths under age 18 in New York State become new daily smokers each year; and

WHEREAS, 3 out of 4 teenagers shop in convenience stores at least once per week; and

WHEREAS, Tobacco advertising in retail stores has a powerful influence on teens, who are significantly more likely to smoke due to advertising than they are due to peer pressure; and

WHEREAS, research shows that youth are more than twice as likely as adults to recall tobacco advertising; and

WHEREAS, outdoor and exterior-facing tobacco ads at retail stores are often seen by students walking to and from school; and

WHEREAS, retail stores are an integral and valuable part of our community; and

THEREFORE BE IT RESOLVED that the City of Yonkers hereby partners with POW'R Against Tobacco in requesting that retailers reduce overall tobacco advertising in their place of business and eliminate tobacco advertising from areas likely to be seen by children, including exterior poles, walls, windows facing "out", interior wall space below five feet, near candy displays, and on counter tops; and

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RESOLUTION NO.49-2009 (CONTINUED)

BE IT FURTHER RESOLVED that the City of Yonkers hereby encourages law enforcement agencies throughout to take appropriate measures to ensure all local, state and federal laws regarding all signage are observed.

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RESOLUTION NO.50-2009

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

WHEREAS, climate change poses a real and increasing threat to our local and global environments and that it is primarily due to the burning of fossil fuels; and

WHEREAS, climate change may endanger our economy and livelihoods, harm our farms, orchards, forests and fisheries, spread invasive species and exotic diseases, reduce drinking water supplies, and pose health threats to our citizens; and

WHEREAS, our response to climate change provides us with an unprecedented opportunity to save money, build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, the scale of greenhouse gas emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, even were emissions dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come; and

WHEREAS, the City of Yonkers has already shown a commitment to fighting climate change by establishing a Green Policy Task Force to review environmental initiatives and work with neighboring communities to reinforce efforts and extend the reach of successful practices, by becoming a member of ICLEI (Cities for Climate Protection Campaign), and by voting to support the U.S. Conference of Mayors Climate Protection Agreement; and

WHEREAS, the City has already taken measures to limit the use of leaf blowers, enforce Westchester County and the City of Yonkers legal idling limits on school bus idling and has set up legally required recycling programs in its schools.

WHEREAS, the City Council is currently reviewing ordinances pertaining to LEED standards and green building; and

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RESOLUTION NO.50-2009 (CONTINUED)

WHEREAS, the New York state of environmental conservation has suggested ten measures that the city of Yonkers Pledge to undertake some of which has already been undertaken; and

IT IS HEREBY RESOLVED that the City Council of Yonkers pledges to pursue the following measures suggested by the New York State Department of Environmental Conservation in order to further reduce greenhouse gas emissions and adapt to a changing climate:

1. **Continuing the Pledge to Combat Climate Change:**

Designate a point person who will oversee climate change initiatives listed herein and publicly report on progress.

2. **Inventory Emissions, Set Goals, and Move to Action:**

Gather data, inventory greenhouse gas emissions, and establish baselines. Through the City's membership in ICLEI and in the City of Yonkers role as part of the US Mayor's Global Climate Initiatives. Develop short- and medium-term targets to achieve long-term goals and propose a schedule to meet those objectives. Develop an explicit long-term financing strategy to achieve carbon neutrality by a specified date. Include opportunities for stakeholder and public input and include the other elements of this agenda in the action plan. Report emissions to The Climate Registry, which has developed a standardized method for emissions inventories, and use the tools provided to track and evaluate progress. Celebrate progress.

3. **Decrease Energy Demand in Municipal Operations:**

Strive to reduce electricity use 15 percent from forecasted 2015 levels by 2015, the current New York State government goal.

A. Existing Public Facilities. Inventory current building usage and identify opportunities for conservation and efficiency retrofits. Obtain energy audits from New York State Energy Research and Development Authority (NYSERDA) or other professionals. Consider actions such as purchasing only Energy Star equipment and appliances to the extent consistent with General Municipal Law §103; improving lighting, heating, and cooling efficiency; setting

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RESOLUTION 50-2009 (CONTINUED)

thermostats for maximum energy conservation; and increasing pump efficiency in water and wastewater systems.

B. Vehicle Fleet and Commuting. Improve the average fuel efficiency of Municipal fleet vehicles. Consider reducing the number of vehicles; discouraging vehicle idling; converting fleet vehicles to sustainable sourced alternative fuels; using electric vehicles where possible; and encouraging bicycling, car-pooling and public transit for employees.

4. **Encourage Renewable Energy:**

To the extent feasible and consistent with law, supply as much of the municipality's power needs as possible from solar, wind, and small hydro through direct generation or purchase, and evaluate benefits of investing in "green tags" or carbon offsets for that portion of municipal power coming from nonrenewable sources. Set a goal of 25 percent of public energy use from renewable sources by 2013, the current New York State goal. Work with state agencies and elected representatives to facilitate the municipality's purchase of renewable energy consistent with General Municipal Law §103 and to authorize the municipality to invest in "green tags" or carbon offsets consistent with Article III, §1 of the State Constitution. Consider facilitating renewable power development.

5. **Realize Benefits of Recycling:**

Expand the "reduce, reuse and recycle" approach to waste management in Municipal operations and the whole community. Reduce the amount of solid waste generated. Consider actions such as instituting a volume-based municipal solid waste management system, providing adequate recycling receptacles in all Municipal buildings and outdoor spaces, implementing a municipal organic waste composting program for yard and food waste, requiring duplex printing in Municipal offices.

6. **Integrate Climate Protection into Community Planning:**

In any update of land use policies, building codes or community plans, include provisions to combat climate change, while also reducing sprawl, preserving and protecting open space, biodiversity, water supplies and historic buildings, and creating compact, walk-able communities through the implementation of programs such as Leadership in Energy and

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RESOLUTION 50-2009 (CONTINUED)

Environmental Design (LEED) and Energy Star in the City of Yonkers Zoning and Building Codes. Minimize new development in floodplains. Maintain or establish healthy community forests, promote best management practices and encourage tree planting, especially along waterways, to increase shading and to absorb carbon dioxide. Begin conversion of municipal grounds to sustainable landscapes.

7. Support a Green Innovation Economy:

Identify opportunities to incorporate climate protection, sustainability and environmental goods and service industries, which are growing parts of the global economy, into any economic development plans, the municipality might adopt. Adopt a comprehensive green purchasing program that supports local green businesses.

8. Inform and Inspire the Public:

Lead by example. Highlight municipal commitment to reducing energy use, saving tax dollars, and adapting to changing conditions. Reducing the size of the City's fleet of vehicles and improve the gas efficiency of the remaining vehicles. Demonstrate the benefits of energy savings, energy efficiency, and renewable energy projects. This could include hosting open houses; distributing fliers; holding municipal meetings; working with local school districts, colleges, and universities to develop climate change curricula and programs; engaging faith-based communities in climate protection; and regularly communicating community goals and progress to constituents.

9. Evaluate Risks and Plan for Adaptation:

Identify climate change impacts that could affect the community, including flooding, drought, and extreme temperatures. Identify areas such as water supply and sewer infrastructure that may be at risk due to sea-level rise and future changes in climate. Factor risks into long-term investments and decision-making. Execute climate change adaptation and preparedness measures through municipal government planning, development and operations, giving priority to the most vulnerable local areas.

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RESOLUTION 50-2009 (CONTINUED)

10. Commit to an Evolving Process:

Acknowledge that research and policy on climate protection are constantly improving and evolving. Be willing to consider new ideas and innovations and commit to adapt plans and policies as needed. Compare successes and cooperate with neighboring communities to redirect less-effective actions and amplify positive results.

MOTION BY COUNCIL PRESIDENT LESNICK, SECONDED BY MAJORITY LEADER ANNABI TO AMEND ABOVE RESOLUTION.

THIS RESOLUTION WAS ADOPTED AS AMENDED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.51-2009

16. BY COUNCILMEMBER MURTAGH, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, AND BARBATO:

BE IT RESOLVED, the City Clerk is hereby authorized to institute a Round Robin to declare the existing private portion of Manhattan Ave. between Scarsdale Rd. and Brookdale Drive a public street as requested by area residents through petition received February 25. 2009.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.52-2009

17. MINORITY LEADER McLAUGHLIN, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, St. John the Baptist Church, located at 670 Yonkers Avenue in Yonkers will be holding it's Annual Carnival, June 19th , 2009, and has requested permission from the City Council to place two banners in the area promoting this event, and

WHEREAS, St. John the Baptist Church has asked that they be permitted to place one (1) banner at the intersection of Mclean Avenue & McCollum Place (near Coyne Park) (2) Sadore Lane bridge (at Central Park Avenue) or other appropriate location, on or around May 18th, 2009 and to be removed as soon after June 19th, 2009 as is possible.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Yonkers hereby grants permission to St. John the Baptist Church to place two banners in the aforementioned location, subject to any terms and conditions deemed appropriate by the Administration to protect the best interests of the City of Yonkers.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.53-2009

18. COUNCILMEMBER McDOW, COUNCIL PRESIDENT LESNICK
MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN,
COUNCILMEMBERS, GRONOWSKI, MURTAGH AND BARBATO:

BE IT HEREBY RESOLVED, that the City Council of Yonkers hereby reappoints BRUNILDA FERNANDEZ as Vice President (1085 Warburton Avenue , Yonkers , New York 10701), whose term expired May 26, 2008, to the Human Rights Commission of Yonkers for a term of three years until May 26, 2011.

FURTHER RESOLVED, that the City Clerk is directed to forward a copy of this legislation to the Human Rights Office.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.54-2009

19. COUNCILMEMBER GRONOWSKI, COUNCIL PRESIDENT LESNICK MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS, McDOW, MURTAGH AND BARBATO:

WHEREAS, Christ the King Church will be holding a Sweepstakes event May 9, 2009. Christ the King Church has requested permission from the City Council to place a banner in an area promoting this event, and

WHEREAS, Christ the King Church has asked that they be permitted to place one (1) banner at a preexisting authorized banner location on the corner of North Broadway and Roberts Avenue on or before April 25, 2009 and to be removed as soon after May 9th, 2009 as is possible.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to Christ the King Church to place one banner in the aforementioned location, subject to any terms and conditions deemed appropriate by the Administration to protect the best interests of the City of Yonkers.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.55-2009

20. COUNCILMEMBER GRONOWSKI, COUNCIL PRESIDENT LESNICK MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS, McDOW, MURTAGH AND BARBATO:

WHEREAS, The North Yonkers Boys and Girls Club and the North Yonkers Preservation are holding their Fifth Annual Carnival April 30th, May 1st, 2nd and 3rd 2009. North Yonkers Boys and Girls Club and the North Yonkers Preservation has requested permission from the City Council to place a banner in an area promoting this event, and

WHEREAS, North Yonkers Boys and Girls Club and the North Yonkers Preservation has asked that they be permitted to place one (1) banner at a preexisting authorized banner location on the corner of North Broadway and Executive Blvd on or before April 16, 2009 and to be removed as soon after May 3rd, 2009 as is possible.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to North Yonkers Boys and Girls Club and the North Yonkers Preservation to place one banner in the aforementioned location, subject to any terms and conditions deemed appropriate by the Administration to protect the best interests of the City of Yonkers.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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RESOLUTION NO.56-2009

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

WHEREAS, Shaken Baby Syndrome is a clearly definable medical term used to describe the constellation of symptoms, trauma and medical conditions resulting from the violent shaking, or abusive impact to the head of an infant or young child less than five years of age; and

WHEREAS, on average 3,000 infants and young children become victims of Shaken Baby Syndrome by those who are entrusted to care for them, the average age of Shaken Baby Syndrome victims are between 3 and 8 months of age with thousands of additional cases misdiagnosed or undetected; and

WHEREAS, among the children who were victims of abuse and neglect in 2006 there were 1,530 child fatality victims, over 300 were the result of Shaken Baby Syndrome; and

WHEREAS, Shaken Baby Syndrome is recognized as the leading cause of death and permanent disability for children under four years of age, and an estimated 25% of victims die as a result of their injuries, 65% will suffer permanent, severe disabilities including, brain damage, paralysis, blindness, deafness, cerebral palsy, seizures, learning or behavioral disorders, autism, and coma; fewer than 10 percent of Shaken Baby Syndrome victims recover completely; and

WHEREAS, the economic cost of Shaken Baby Syndrome are significant; Initial hospitalization costs average \$18,000 to \$70,000 per child; the cost of medical care rehabilitation for a single disabled child exceeds 4 million dollars over a lifetime, of which 41% of those costs are paid through NYS Medicaid; and

WHEREAS, the most effective way to end Shaken Baby Syndrome is by preventing such abuse; awareness and prevention programs have demonstrated that educating parents and caregivers about the dangers of shaking young children, healthy strategies for coping with infant crying, infant soothing skills, and how to protect children from injury can bring about significant reduction in the number of Shaken Baby Syndrome cases; and

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RESOLUTION NO.56-2009 (CONTINUED)

WHEREAS, prevention of Shaken Baby Syndrome is supported by national groups such as The National Center on Shaken Baby Syndrome, The Shaken Baby Alliance, The Shaken Baby Coalition, The Shaken Baby Council, and New York State groups such as The Cynthia Gibbs Foundation, New York Shaken Baby Prevention Program, The Westchester Task Force on Child Abuse and Neglect, Victim's Justice Center of the Office of the Westchester County District Attorney, and Child Abuse Prevention Center of New York, whose common mission is to educate new parents and caregivers, increase awareness among the general public and professionals, and encourage increased support for victims and their families in the health care and criminal justice systems; and

WHEREAS, efforts to prevent Shaken Baby Syndrome also supported by child protection agencies, law enforcement personnel, healthcare professionals and legal representatives; and

WHEREAS, legislation entitled "Cynthia Law" enacted by the New York State Legislature in 2006 requires the Department of Health to implement a Shaken Baby Syndrome Public Information and Educational Campaign to inform the general public about brain injuries and other harmful effects that result from shaking infants and young children; and

WHEREAS, legislation enacted by the New York Legislature in 2004 requires all hospitals and birthing centers to offers new parents the opportunity to watch a video about the causes and consequences of Shaken Baby Syndrome and ways it can be prevents so they can help protect their child from shaking injuries; and

WHEREAS, legislation enacted by the New York State Legislature 2003 requires that all certified childcare providers receive education about the causes and consequences of Shaken baby Syndrome and ways it can prevented; and

WHEREAS, "Shaken Baby Syndrome Awareness Week" is recognized on the Federal, State, and City government levels

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RESOLUTION NO.56-2009 (CONTINUED)

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers, recognizes the third week of April, which this year occurs from April 12 to April 18, 2009 as “Shaken Baby Syndrome Awareness Week” and encourages participation by the public to increase awareness of the dangers of shaking injuries and to promote affirmative coping skills for all parents and others who care for infants and young children.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 14, 2009 BY A VOTE OF 7-0.

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COMMITTEE REPORTS

THIS MEETING WAS ADJOURNED AT 8:55 P.M.