

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
FRIDAY, JUNE 26, 2009

TIME: 9:15 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
FRIDAY, JUNE 26, 2009 IN THE CITY COUNCIL CHAMBERS, FOURTH
FLOOR, CITY HALL, YONKERS, NEW YORK AT 8:30 A.M. FOR THE
FOLLOWING PURPOSE:

TO DISCUSS AND TAKE ACTION ON:

1. AN OVERRIDE OF THE MAYOR'S VETO AND/OR THE ADOPTION OF AN AMENDED BUDGET.
2. HOME RULE MESSAGE – RESIDENTIAL PARKING AT YONKERS RACEWAY/EMPIRE CITY
7. ALL OTHER ITEMS PROPERLY COMING BEFORE THE COUNCIL.

CHUCK LESNICK
CITY COUNCIL PRESIDENT

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
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COMMITTEE OF THE WHOLE

SPEAKERS

- | | |
|----------------------|--|
| 1. THOMAS PHELAN | YONKERS CAPTAINS, LIEUTENANTS &
SERGEANTS ASSOCIATION |
| 2. ANTHONY CHIARELLA | YONKERS CAPTAINS, LIEUTENANTS &
SERGEANTS ASSOCIATION |
| 3. EDDIE ARMOUR | YONKERS PBA |
| 4. PATRICK BRADY | YONKERS FIREFIGHTERS |
| 5. LOU PICANI | TEAMSTERS LOCAL 456 |
| 6. BOB MASICK | YONKERS FIRE OFFICERS |

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
FRIDAY, JUNE 26, 2009

SPECIAL ORDINANCE NO. 12-2009

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

AN ORDINANCE APPROVING CERTAIN JUSTIFICATION DOCUMENTS OF THE CITY COMPTROLLER, WHICH DOCUMENTS ARE ATTACHED HEREWITH AND MADE A PART HEREOF, IN RELATION TO THE ADOPTION OF THE CITY'S 2010 FISCAL YEAR BUDGET (SUPPORTING DATA FOR THESE DOCUMENTS ARE ON FILE AND MAY BE EXAMINED IN THE OFFICE OF THE CITY CLERK).

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1: The following justification documents of the City Comptroller are attached hereto and made a part hereof in relation to the City's 2010 Fiscal Year Budget.

1. Utilities Gross Receipt Tax	\$8,132,563
2. Multiple Unit Dwelling Tax	\$147,453
3. OMITTED	
4. Finance Department	\$45,549
5. Parking Violations Bureau	\$10,541,398
6. Public Works	\$332,067
7. Engineering	\$786,665
8. Building Fees	\$3,344,751
9. Cable Television Fees	\$1,745,783
10. Rent on City Property	\$592,815
11. Library Fund - Miscellaneous	\$73,487

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SPECIAL ORDINANCE NO. 12-2009 (CONTINUED)

12. Water Fund – Meter Water Sales	\$15,498,050
13. Sewer Fund – Sewer Rents	\$4,701,418
14. Board of Education Basic State Aid	\$233,433,773
15. Board of Education – Appropriated Fund Balance	\$8,200,000
16. City Department Appropriations	
a) Executive	h) Engineering Department
b) Legislative Department	i) Parks Department
c) Finance Department	j) Constituent Services
d) Human Resources	k) Inspector General
e) Development	l) Veteran’s Service Agency
f) Firefighting	m) Library
g) Public Works Department	n) Hudson River Museum
17. Employee Retirement	\$5,713,443
18. Local Pension Plan	\$156,600
19. Yonkers Historical Society	\$10,000
20. Intern Program	-0-
21. Affordable Housing Subsidiaries	-0-
22. Fiscal Agent Bank Account	\$20,000
23. Cash Flow Statement	-
24. City Department Appropriations – Legislative Adjustments	
a) Legislative Department	h) Engineering
b) Finance Department	i) Constituent services
c) Human Resources	j) Corporation counsel
d) Development	k) Parks Department
e) Police Department	l) Housing and Building
f) Fire Department	m) Inspector General
g) Public Works Department	n) Library
	o) Museum

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
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FRIDAY, JUNE 26, 2009

SPECIAL ORDINANCE NO. 12-2009 (CONTINUED)

Section 2: This ordinance shall take effect immediately or as otherwise provided by law.

THIS SPECIAL COUNCIL MEETING WAS RECESSED ON TUESDAY, JUNE 16, 2009 AND RECONVENED BY COUNCIL PRESIDENT LESNICK ON SATURDAY, JUNE 20, 2009.

SPECIAL ORDINANCES NOS. 12, 2009 AND 13-2009 WERE TAKEN TOGETHER. THESE SPECIAL ORDINANCES WERE ADOPTED, AS AMENDED, BY THE CITY COUNCIL AT A RE-CONVENED CITY COUNCIL MEETING HELD ON SATURDAY, JUNE 20, 2009 BY A ROLL CALL VOTE OF 5-2, MAJORITY LEADER ANNABI AND COUNCILMEMBER GRONOWSKI VOTING "NAY".

THE ABOVE SPECIAL ORDINANCE WAS VETOED BY THE MAYOR ON JUNE 24, 2009.

A SPECIAL CITY COUNCIL MEETING WAS HELD ON FRIDAY, JUNE 26, 2009.

MOTION BY MINORITY LEADER McLAUGHLIN, SECONDED BY COUNCILMEMBER BARBATO AT THIS SPECIAL MEETING TO OVERRIDE THE MAYOR'S VETO OF THE ABOVE SPECIAL ORDINANCE.

THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF 5-2, MAJORITY LEADER ANNABI AND COUNCILMEMBER GRONOWSKI VOTING "NAY".

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
FRIDAY, JUNE 26, 2009

SPECIAL ORDINANCE NO. 13-2009

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

AN ORDINANCE ADOPTING THE TAX BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2009 AND TERMINATING JUNE 30, 2010.

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1: The annual estimate of expenditures of \$896,036,775 and revenues for the fiscal year July 1, 2009 to June 30, 2010 submitted by the Mayor and amended, \$297,192,534 the amount deemed necessary by the Mayor to be raised by tax to pay the debts and expenditures of the City of Yonkers for the fiscal year commencing July 1, 2009 and ending June 30, 2010 having been filed in the Office of the City Clerk on April 15, 2009, and public hearings thereon having been held on May 19th, 2009 and May 28th, 2009 and the same is hereby approved and adopted as the Tax Budget of the City of Yonkers for the fiscal year commencing July 1, 2009 and terminating June 30, 2010 consisting of Personnel Services, Contractual Services, Materials/Supplies and expenses are as set forth in the Budget Document for the respective departments and establishing the total number of positions of each organizational unit of the City annexed hereto as Exhibit A.

Section 2. The amount of said tax budget shall be appropriated and extended by the City Comptroller opposite the several valuations of real property appearing on the assessment roll prepared by the Bureau of Assessment and shall be confirmed by the City Council as soon as possible.

Section 3: This Ordinance shall take effect immediately.

COUNCIL PRESIDENT LESNICK ANNOUNCED AT THE BEGINNING OF THIS MEETING ON TUESDAY, JUNE 16, 2009 THAT HE WAS TAKING THIS ITEM FIRST. A ROLL CALL VOTE ON THIS SPECIAL ORDINANCE WAS TAKEN AND THE ORDINANCE WAS DEFEATED BY A ROLL CALL VOTE OF 5-2, COUNCIL PRESIDENT LESNICK AND COUNCILMEMBER McDOW VOTING "YEA".

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
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SPECIAL ORDINANCE NO. 13-2009 (CONTINUED)

THIS SPECIAL COUNCIL MEETING WAS RECESSED ON TUESDAY, JUNE 16, 2009 AND RECONVENED BY COUNCIL PRESIDENT LESNICK ON SATURDAY, JUNE 20, 2009.

MOTION BY MINORITY LEADER McLAUGHLIN, SECONDED BY COUNCILMEMBER BARBATO, AT THE BEGINNING OF THIS SPECIAL COUNCIL MEETING ON SATURDAY, JUNE 20, 2009 TO RECONSIDER THE ABOVE SPECIAL ORDINANCE. THE MOTION WAS CARRIED UNANIMOUSLY.

SPECIAL ORDINANCES NOS. 12, 2009 AND 13-2009 WERE TAKEN TOGETHER. THESE SPECIAL ORDINANCES WERE ADOPTED, AS AMENDED, BY THE CITY COUNCIL AT A RE-CONVENED CITY COUNCIL MEETING HELD ON SATURDAY, JUNE 20, 2009 BY A ROLL CALL VOTE OF 5-2, MAJORITY LEADER ANNABI AND COUNCILMEMBER GRONOWSKI VOTING "NAY".

THE ABOVE SPECIAL ORDINANCE WAS VETOED BY THE MAYOR ON JUNE 24, 2009.

A SPECIAL CITY COUNCIL MEETING WAS HELD ON FRIDAY, JUNE 26, 2009.

MOTION BY MINORITY LEADER McLAUGHLIN, SECONDED BY COUNCILMEMBER BARBATO AT THIS SPECIAL MEETING TO OVERRIDE THE MAYOR'S VETO OF THE ABOVE SPECIAL ORDINANCE.

THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF 5-2, MAJORITY LEADER ANNABI AND COUNCILMEMBER GRONOWSKI VOTING "NAY".

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SPECIAL ORDINANCE NO. 14-2009

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

AN ORDINANCE CONFIRMING THE TAX ROLL OF THE FISCAL YEAR JULY 1, 2009 TO JUNE 30, 2010 AND LEVYING AND ADDRESSING THE TAXES CONTAINED THEREIN.

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1: The assessment rolls for the fiscal year July 1, 2009 to June 30, 2010 and the apportionment and extension thereon of the tax budget for the fiscal year July 1, 2009 to June 30, 2010 constituting the tax roll of the City, hereby levied and assessed on the real property appearing thereon as therein set forth.

Section 2: The Mayor is hereby directed to sign and attach to such tax rolls a warrant under the corporate seal of the City commanding the Comptroller to collect, in manner provided by law, the taxes set forth therein, and the City Assessor is hereby directed to thereupon deliver the said tax roll to the Commissioner of Finance & Management Services.

Section 3: This Ordinance shall take effect immediately after statutory approvals in accordance with the Special Local Finance and Budget Act of 1976.

THIS SPECIAL COUNCIL MEETING WAS RECESSED ON TUESDAY, JUNE 16, 2009 AND RECONVENED BY COUNCIL PRESIDENT LESNICK ON SATURDAY, JUNE 20, 2009.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A RE-CONVENED CITY COUNCIL MEETING HELD ON SATURDAY, JUNE 20, 2009 BY A ROLL CALL VOTE OF 5-2, MAJORITY LEADER ANNABI AND COUNCILMEMBER GRONOWSKI VOTING "NAY". THIS SPECIAL ORDINANCE WAS ADOPTED AT 10:50 A.M.

THE ABOVE SPECIAL ORDINANCE WAS VETOED BY THE MAYOR ON JUNE 24, 2009.

A SPECIAL CITY COUNCIL MEETING WAS HELD ON FRIDAY, JUNE 26, 2009. MOTION BY MINORITY LEADER McLAUGHLIN, SECONDED BY COUNCILMEMBER BARBATO AT THIS SPECIAL MEETING TO OVERRIDE THE MAYOR'S VETO OF THE ABOVE SPECIAL ORDINANCE.

THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF 5-2, MAJORITY LEADER ANNABI AND COUNCILMEMBER GRONOWSKI VOTING "NAY".

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
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RESOLUTION NO. 125-2009

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

WHEREAS, the City Council of the City of Yonkers has determined that there are a number of areas within the City, where for various reasons, there is insufficient parking to meet current needs; and

WHEREAS, while the City Council recognizes that on street parking is for everyone and that parking on city streets should be on a "first come first served" basis, it is acknowledged that in many areas of our City, due to an inordinate amount of parking by non-residents, there is not enough on-street parking to accommodate the overall demand; and

WHEREAS, as a result, in those areas of Yonkers where the demand for on-street parking outstrips the availability of on-street parking spaces, it is the area residents who are most inconvenienced; and

WHEREAS, the lack of sufficient on-street residential parking in these areas has contributed to and resulted in traffic hazards, traffic congestion and air and noise pollution; and

WHEREAS, the City Council has determined that in certain areas of our City, that the establishment and use of residential parking permits would be an appropriate remedy that would foster assistance in alleviating some of the City's overall parking problem; and

WHEREAS, one area in Yonkers that has suffered greatly because of the inadequacy of on-street parking is the community west of the Yonkers Raceway /Empire City facility consisting of five streets containing over 260 houses, and while Yonkers Raceway/Empire City does provide ample, free, self parking, with a shuttle for patrons as well as valet parking for patrons, parking on nearby streets seems preferable to some of the patrons, as it is faster and easier to park and walk to their cars rather than use the shuttles; and

WHEREAS, because some of the patrons park on the City streets, the nearby residents are unable to find parking near their homes, and other problems have been reported, such as increased littering, and noise from the patrons as they use their cars, severely limiting residential access to on-street parking, thus contributing to and causing traffic and related problems in the area; and

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RESOLUTION NO. 125-2009 (CONTINUED)

WHEREAS, this City Council, after setting forth the findings of fact as to traffic hazards and congestion in the Yonkers Raceway/Empire City area, is requesting that the State Legislature grant the City of Yonkers authority to establish a residential parking permit system in the Yonkers Raceway/Empire City area and enact Assembly Bill A. 5493-A and Senate Bill S. 4392-A;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers hereby requests the State Legislature to amend Section 1640 of the Vehicle and Traffic Law to permit the City of Yonkers to adopt a residential parking permit system in the Yonkers Raceway/Empire City area of the City of Yonkers; and

BE IT FURTHER RESOLVED, that in furtherance of this request, on June 18, 2009, based on a previous Home Rule Request Resolution (Message) that was adopted by the City Council of the City of Yonkers, the Assembly enacted Assembly Bill A. 5493-A; and

BE IT FURTHER RESOLVED that, at this time, the City Council of the City of Yonkers hereby requests that the Senate enact Senate Bill S. 4392-A; and

BE IT FURTHER RESOLVED, that the residential parking permit system area established for the Yonkers Raceway/Empire City area shall encompass Belmont Avenue from Orient Street to Yonkers Avenue; Boone Street from Central Park Avenue to Dead End; Clark Street from Central Park Avenue to Orient Street; Loring Avenue from Central Park Avenue to Orient Street; and Chamberlain Avenue from Belmont Avenue to Central Park Avenue; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to forward a duly certified copy of this Home Rule Message to the Governor and to each member of our State delegation in Albany.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A SPECIAL CITY COUNCIL MEETING HELD ON FRIDAY, JUNE 26, 2009 BY A VOTE OF 7-0.

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THIS SPECIAL COUNCIL MEETING WAS ADJOURNED AT 9:40 A.M.