

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 23, 2010

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

TIME: 8:13PM

PRESENT: PRESIDENT OF THE COUNCIL
 CHUCK LESNICK

DISTRICT:

 1 MAJORITY LEADER PATRICIA D. McDOW
 5 MINORITY LEADER JOHN .M. MURTAGH

COUNCIL MEMBERS:
DISTRICT:

 2 WILSON A. TERRERO
 3 JOAN GRONOWSKI
 4 DENNIS E. SHEPHERD
 6 JOHN LARKIN

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 February 9, 2010 approved on motion of Majority Leader Patricia McDow.

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COMMUNICATIONS FROM CITY OFFICIALS

1. FROM MAYOR AMICONE, DATED FEBRUARY 18, 2010. A COPY OF A LETTER TO THE EDITOR OF THE JOURNAL NEWS, REGARDING FORMER INSPECTOR GENERAL PHIL ZISMAN. THE COUNCIL WAS COPIED BY THE MAYOR.

2. FROM COUNCILMEMBER GRONOWSKI, DATED FEBRUARY 22, 2010, COPY OF A LETTER TO C JAMES WESTBROOK REGARDING LANDMARKS BOARD. CITY COUNCIL WAS COPIED BY COUNCILMEMBER GRONOWSKI.

FILED

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COMMUNICATIONS - GENERALLY

1. LETTER FROM JAMES WESTBROOK TO THE CITY COUNCIL RE: LANDMARK PRESERVATION BOARD APPOINTMENT

2. LETTER FROM GOVERNOR PATTERSON; ACKNOWLEDGING RECEIPT OF RESOLUTIONS 14-2010 AND 15-2010 THAT WERE RECENTLY ADOPTED BY THE CITY COUNCIL. COPIES ON DESKS

3. LETTER FROM THE WESTCHESTER COUNTY PLANNING BOARD. DATED FEBRUARY 23, 2010 IN RESPONSE TO THE CITY COUNCIL'S REFERRAL OF A GENERAL ORDINANCE REGARDING APARTMENT HOUSES IN DOWNTOWN ZONES. COPIES ON DESKS

Filed

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COMMITTEE OF THE WHOLE

SPEAKERS

<u>NAME:</u>	<u>ADDRESS</u>	<u>ITEM</u>
1. Ron DeConne	106 Catskill Ave	1

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GENERAL ORDINANCE

1. BY:, MINORITY LEADER MURTAGH, COUNCILMEMBERS, SHEPHERD AND LARKIN;

A GENERAL ORDINANCE AMENDING CHAPTER 111 OF THE CODE OF THE CITY OF YONKERS ALSO KNOWN AS "TOW TRUCKS." REGARDING IMPOUND REQUIREMENTS.

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

Section 1. Chapter 111 of the Code of the City of Yonkers entitled "Tow Trucks" is hereby amended in part by amending subsections "A" and "B" of §111-15 thereof entitled "Impound requirements.", to read as follows:

" § 111-15. Impound requirements.

- A. There shall exist within the City of Yonkers [three] up to six impound areas where an impounded vehicle will be removed to and stored until such time as it is released by the Police Department.
- B. The Mayor, after having received recommendations from the Police Commissioner, shall designate [three] up to six qualified licensees, each to maintain an impound area within the City of Yonkers and to remove an impounded vehicle thereto when and as directed by the Police Department. Such designation shall be valid for a two-year period of time, unless the designated licensee ceases to qualify. A licensee may be redesignated for successive terms."

Section 2. This ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS DEFEATED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 23, 2010 BY A ROLL CALL VOTE OF 4-3. COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, COUNCILMEMBERS TERRERO AND GRONOWSKI VOTING "NAY".

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SPECIAL ORDINANCE NO.6-2010

2. BY: COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN;

AN ORDINANCE CONFIRMING THE TAX ROLL FOR WESTCHESTER COUNTY TAXES, INCLUDING SEWER DISTRICT TAXES AND REFUSE DISPOSAL DISTRICT TAXES, FOR THE CALENDAR YEAR 2010, AND LEVYING AND ASSESSING THE TAXES CONTAINED THEREIN.

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

Section 1. The apportionment and extension of the assessment roll of Westchester County Taxes for the calendar year 2010, including sewer district taxes and refuse disposal district taxes, having been completed by the City Assessor at the direction of the City Council, said apportionment and extension constitutes the tax rolls for Westchester County Taxes and said taxes are hereby levied and assessed on the real property appearing thereon as therein set forth.

Section 2. The Mayor is authorized to sign and attach to such tax rolls a warrant under the corporate seal of the City allowing the City Comptroller to collect, in the manner provided by law, the taxes set forth therein, and the City Assessor is hereby directed to deliver the said tax rolls to the Comptroller.

Section 3. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 23, 2010 BY A VOTE OF 7-0 AT 8:15PM

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SPECIAL ORDINANCE NO.7-2010

3. BY: COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW,
MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO,
GRONOWSKI, SHEPHERD AND LARKIN;

SPECIAL ORDINANCE OF THE CITY OF YONKERS, NEW YORK,
ADOPTED FEBRUARY 23, 2010 DETERMINING THE TERMS, FORM
AND DETAILS OF ISSUANCE OF \$37,185,000 GENERAL OBLIGATION
SERIAL BONDS, SERIES 2010A OF THE CITY, DIRECTING THEIR
PRIVATE SALE, AND PROVIDING FOR THE RIGHTS OF THE
HOLDERS OF SAID BONDS AND OTHER OBLIGATIONS OF THE CITY.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 23, 2010 BY
A VOTE OF 7-0.

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SPECIAL ORDINANCE

4. BY: COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN;

A SPECIAL ORDINANCE AMENDING THE CITY OF YONKERS GRANTS BUDGET FOR FISCAL YEAR 2009/2010.

The City of Yonkers hereby ordains and enacts:

Section 1: The City's Grant Budget for fiscal year 2009/2010 is hereby amended by increasing revenues and appropriations for the Parks Department for a grant from Assemblymen Michael Spano and Gary Pretlow relating to the Puerto Rican Parade Festivities.

Increase Estimated Revenues

Legislative Member Item	049-G18-8061-7375	\$3,500.00
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Increase Appropriation

Parks Dept. – Special Projects	049-G18-8061-0496	\$3,500.00
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Section 2: The unencumbered balance of such appropriation equals or exceeds the estimated expenditures the City requires for such purpose during the remainder of the budget year.

Section 3: This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS PUT OVER.

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RESOLUTION

5. BY: COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN;

WHEREAS, the Yonkers Department of Parks, Recreation and Conservation has been awarded a \$3,500 grant from Assemblymen Michael Spano and Gary Pretlow to fund various Puerto Rican/Hispanic activities, including ethnic celebrations and other events sponsored by the City of Yonkers; and

WHEREAS, these events may include quality of life awareness events, such as Latin and Hispanic entertainment and cuisine, and information and services on important community programs ranging from health, immigration, education, environmental and cultural opportunities; and

WHEREAS, there are no matching funds required from the City of Yonkers; and

NOW, THEREFORE, BE IT RESOLVED, by the Yonkers City Council, that it does hereby endorse and approve the application and award for a \$3,500 grant in support of the Puerto Rican/Hispanic activities, and be it further,

RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS PUT OVER.

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RESOLUTION

6. BY: COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN;

WHEREAS, the Department of Constituent Services is applying to the State of New York Office of Parks, Recreation and Historic Preservation for a \$27,000 grant to fund various Puerto Rican/Hispanic activities including ethnic celebrations and other events sponsored by the City of Yonkers; and

WHEREAS, these events may include quality of life awareness events, such as Latin and Hispanic entertainment and cuisine, and information and services on important community programs ranging from health, immigration, education, environmental and cultural opportunities; and

WHEREAS, there are no matching funds required from the City of Yonkers; and

NOW, THEREFORE, BE IT RESOLVED, by the Yonkers City Council, that it does hereby endorse and approve the application for a \$27,000 grant in support of the Puerto Rican/Hispanic activities; and be it further,

RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS PUT OVER.

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RESOLUTION NO.29-2010

7. BY: COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN;

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 April 30, 2012.

Joan Haynes
570 Yonkers Avenue
Yonkers, New York 10704

Office Manager – Architectural Office

RENEWAL

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 23, 2010 BY A VOTE OF 7-0.

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RESOLUTION NO.30-2010

8. BY: COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN;

WHEREAS, the City Council from time to time needs to address issues regarding existing Civil Service Employees in the Office of the City Clerk; and

WHEREAS, the relevant section of the Yonkers City Charter that addresses how employment issues in the Office of the City Clerk is delineated as follows in Section C4-13 (D) of the Charter:

“The Office of the City Clerk shall be administered by the City Clerk appointed by the City Council subject to the control and authority of the City Council. The City Council may appoint or hire such deputy and assistant clerks or other employees as necessary or desired.”

NOW THEREFORE, BE IT RESOLVED, that the City Council, in its discretion under the Charter, creates the following procedure to address aforementioned employment issues involving only and all of the Civil Service Employees in the Office of the City Clerk; and

RESOLVED, the City Council of the City of Yonkers instructs and empowers the City Clerk to conduct all inquiries of employment issues involving Civil Service Employees in compliance with the applicable federal laws, the laws of New York State and the City of Yonkers Charter.

FURTHER BE IT RESOLVED, that the City Council empowers and requires that the Council President, Majority Leader, and Minority Leader, together, upon recommendation from the City Clerk to sign-off on any action, if necessary, on behalf of the City Council.

RESOLVED, that this Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 23, 2010 BY A VOTE OF 7-0.

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RESOLUTION NO.31-2010

- 8A. BY COUNCILMEMBER LARKIN, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, AND SHEPHERD;

WHEREAS, St. Bartholomew Church, located at 278 Saw Mill River Road in Yonkers will hold its annual "Sweepstakes Social" on Friday, March 26, 2010, and has requested permission from the City Council to place banners in the area promoting this event, and

WHEREAS, St. Bartholomew Church has asked that they be permitted to place four (4) banners at the following locations: (1) on North Broadway & Executive Blvd. (2) on the outside of the pedestrian bridge facing south near Central Park Ave. & Tuckahoe Road (3) Yonkers Ave. & Gold's Gym and the last at Palmer and Saw Mill River Road, on or around March 1st and to be removed as soon after March 26, 2010 as is possible.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to St. Bartholomew Church to place four banners in the aforementioned locations, 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, FEBRUARY 23, 2010 BY A VOTE OF 7-0.

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RESOLUTION

- 8B. BY COUNCILMEMBER LARKIN, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, AND SHEPHERD;

WHEREAS, Philipse Manor Hall is known as the birthplace of Yonkers and of much of the present-day County of Westchester; and

WHEREAS, Philipse Manor Hall is considered one of the America's earliest Georgian style buildings and one of New York State's finest examples of said style; and

WHEREAS, Philipse Manor Hall contains one of the earliest decorative plaster ceilings in America and a prized portrait collection of American presidents painted by American artists of international stature and donated by Alexander Smith Cochran, heir of the Alexander Smith Carpet Mills, with the intent that they be exhibited for the benefit of the people of Yonkers; and

WHEREAS, Philipse Manor Hall and its collections have been a subject of study by architectural scholars, art historians, and students of American history; and

WHEREAS, Philipse Manor Hall is visited by thousands of people a year, from diverse backgrounds, who attend the various programs held at the Hall, making it a big cultural and tourist destination in downtown Yonkers; and

WHEREAS, Philipse Manor Hall served as Yonkers Village Hall from 1868 to 1872, and served as Yonkers first City Hall from 1872 to 1911; and

WHEREAS, Philipse Manor Hall was given as a gift to New York State by the City of Yonkers in 1908 with the intent that the building be preserved and maintained forever intact as an historical monument and a museum of historical relics and for such historical and patriotic use; and

WHEREAS, the State of New York accepted the gift of Philipse Manor Hall by an act of the New York State Legislature in 1908 with the purpose and object of such deed and acceptance being that the said Manor Hall and grounds shall be preserved and maintained forever intact as an historical monument and a museum of historical relics and for such historical and patriotic uses; and

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RESOLUTION (CONTINUED)

WHEREAS, the Governor's proposed 2010-2011 State Budget includes \$29 million cut in its operating budget for Parks, Recreation and Historic Preservation, which would cause the closing of the Philipse Manor Hall as part of closing or reducing service for more than a third of state parks and nearly a half of historic sites; and

WHEREAS, the Philipse Manor Hall is an important part of the economic redevelopment of Downtown Yonkers and that the success of the planned Larkin Plaza Daylighting will depend at least in part on the vitality of Philipse Manor Hall and its programming for tourism and as a local destination for Westchester and Yonkers residents.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers, requests the New York State Legislature and Governor Paterson identify the necessary funding to keep Philipse Manor Hall open; and

BE IT FURTHER RESOLVED, that the City Council instructs the Mayor to take whatever actions are deemed necessary, including such legal recourse as is available to the City, to prevent the closing of this important cultural, historic, and economic asset in the City of Yonkers.

THE ABOVE RESOLUTION ITEM WAS SENT TO BUDGET.

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COMMITTEE REPORTS

AT THE REQUEST OF COUNCILMEMBER GRONOWSKI; THIS MEETING WAS ADJOURNED AT 8:33PM IN THE MEMORY OF JOHN CAREY. THE COUNCIL EXTENDS ITS CONDOLENCES TO HIS WIFE EILEEN AND THEIR THREE CHILDREN, EILISH, JOHN AND BILLY.