

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

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

TIME: 8:02PM

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 May 11, 2010 approved on motion of Majority Leader Patricia McDow.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

INDEX

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1. LL 2-2010	LOCAL LAW – RED LIGHT CAMERAS	6/11
2. SO16-2010	GRANT - DCJS – ENFORCEMENT OF DRINKING LAWS - \$6,000	12
3. R -72-2010	GRANT – AUTHORIZATION – ENFORCEMENT OF DRINKING LAWS - \$6,000	13/14
4 R-73-2010	STATE AID - PRE K PROGRAM	15/16
5. R-74-2010	STATE AID – ENGLISH AS A SECOND LANGUAGE	17/18
6. R-75-2010	COMMISSIONERS OF DEEDS	19/20
7. R-76-2010	BANNER – YWCA	21
8.PUBLIC HEAR	HONORARY STREET RENAMING (BISHOP ERNEST HAIRSTON)	22/23
9. R-78-2010	HONORARIUM – DET. JOHN GEISS	24

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

COMMUNICATIONS FROM CITY OFFICIALS

1. FROM LEE ELMAN OF THE YONKERS PLANNING BOARD RE: SEQRA LEAD AGENCY DETERMINATION/COORDINATED REVIEW (YONKERS ANIMAL SHELTER) DATED MAY 3, 2010
COPIES ON DESKS

2. FROM ROMAN KOZICKY, YONKERS PLANNING BOARD CHAIRMAN, TO COUNCIL PRESIDENT LESNICK, A RESPONSE TO THE CITY COUNCIL'S REQUEST TO AMEND THE PREVIOUSLY APPROVED SPECIAL USER PERMIT AND SITE PLAN REVIEW FOR 380 SAW MILL RIVER ROAD. DATED MAY 21, 2010. COPIES ON DESKS.

FILED

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

COMMUNICATIONS - GENERALLY

1. FROM THE EDWARD BURROUGHS OF THE WESTCHESTER COUNTY PLANNING BOARD: IN A LETTER DATED APRIL 28, 2010. RE: ZONING TEXT AMENDMENT, "DEFINITIONS AND USES". THE BOARD NOTIFIES THE CITY THAT THERE ARE NO COUNTY OR INTER-MUNICIPAL PLANNING ISSUES OF CONCERN TO THE COUNTY PLANNING BOARD. ON DESKS

2. FROM THE TOWN OF EASTCHESTER; A LETTER DATED APRIL 29, 2010 RE: NOTICE THAT THE ARCHITECTURAL REVIEW BOARD WILL HOLD A PUBLIC HEARING ON MAY 6, 2010 AT 7:00PM AT THE TOWN OF EASTCHESTER TOWN HALL, 40 MILL ROAD, EASTCHESTER, NEW YORK ON THE APPLICATION OF 70 GARTH ROAD. ON DESKS

3. FROM GOVERNOR PATERSON, DATED MAY 19, 2010, A LETTER ACKNOWLEDGING RECEIPT OF THE CITY COUNCIL'S RESOLUTION NO. 71-2010 (VIDEO LOTTERY TERMINALS). COPIES ON DESKS.

4. FROM THE PUBLIC SERVICE COMMISSION, NOTICE OF A PUBLIC HEARING TO BE HELD ON TUESDAY, JUNE 8, 2010 AT THE WIL LIBRARY REGARDING A REQUEST FROM CONSOLIDATED EDISON FOR AN INCREASE PROPOSAL IN GAS AND STEAM DELIVERY SERVICE. COPIES ON DESKS.

5. FROM THE CITY CLERK OF MOUNT VERNON, DATED MAY 21, 2010, NOTICE OF A PUBLIC HEARING TO BE HELD ON WEDNESDAY, JUNE 9, 2010 REGARDING PROPOSED AMENDMENTS TO THE MOUNT VERNON ZONING CODE. COPIES ON DESKS.

FILED

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

COMMITTEE OF THE WHOLE

NO SPEAKERS

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

LOCAL LAW NO.2-2010

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

A LOCAL LAW AMENDING CHAPTER 109 OF THE CODE OF THE CITY OF YONKERS ENTITLED "VEHICLES AND TRAFFIC" IN REGARD TO OWNER LIABILITY FOR FAILURE OF OPERATOR TO COMPLY WITH TRAFFIC-CONTROL INDICATIONS.

BE IT ENACTED, by the City Council of the City of Yonkers, as follows:

Section 1.Chapter 109 of the Code of the City of Yonkers entitled "Vehicles and Traffic" is amended, in part, by adding thereto a new Section 109-145, entitled "Owner liability for failure of operator to comply with traffic control indications" to read as follows:

"§ 109–145. Owner liability for failure of operator to comply with traffic-control indications.

A. Notwithstanding any other provision of law, the Parking Violations Bureau is hereby authorized and empowered to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications in accordance with the provisions of this Section. The Traffic Engineer, for purposes of implementation of such program, shall be authorized to install and operate traffic-control signal photo violation-monitoring devices at no more than twenty five (25) intersections at any one time.

B. Such demonstration program shall utilize necessary technologies to ensure, to the extent practicable, that photographs produced by such traffic-control signal photo violation-monitoring systems shall not include images that identify the driver, the passengers, or the contents of the vehicle. Provided, however, that no notice of liability issued pursuant to this Section shall be dismissed solely because a photograph or photographs allow for the identification of the contents of a vehicle, provided that the City of Yonkers has made a reasonable effort to comply with the provisions of this paragraph.

C. The owner of a vehicle shall be liable for a penalty imposed pursuant to this Section if such vehicle was used or operated with the permission of the owner, express or implied, in violation of subdivision (d) of Section

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

LOCAL LAW NO.2-2010 (CONTINUED)

eleven hundred eleven of the New York State Vehicle and Traffic Law, (hereinafter Vehicle and Traffic Law) and such violation is evidenced by information obtained from a traffic-control signal photo violation-monitoring system; provided, however, that no owner of a vehicle shall be liable for a penalty imposed pursuant to this Section where the operator of such vehicle has been convicted of the underlying violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law.

D. Notwithstanding any other provision of this Section, no owner of a vehicle shall be subject to a monetary fine imposed pursuant to this Section if the operator of such vehicle was operating such vehicle without the consent of the owner at the time such operator failed to obey a traffic-control indication. For purposes of this subdivision, there shall be a presumption that the operator of such vehicle was operating such vehicle with the consent of the owner at the time such operator failed to obey a traffic-control indication.

E. For purposes of this Section, "owner" shall mean any person, corporation, partnership, firm, agency, association, lessor, or organization who at the time of the issuance of a notice of violation in which a vehicle is operated:

- (1) is the beneficial or equitable owner of such vehicle; or
- (2) has title to such vehicle; or
- (3) is the registrant or co-registrant of such vehicle which is registered with the Department of Motor Vehicles of the State of New York or any other state, territory, district, province nation or other jurisdiction; or
- (4) uses such vehicle in its vehicle renting and/or leasing business; or
- (5) is an owner of such vehicle as defined by Section one hundred twenty-eight or subdivision (a) of Section twenty-one hundred one of the Vehicle and Traffic Law.

F. For purposes of this Section, "traffic-control signal photo violation-monitoring system" shall mean a device installed to work in conjunction with a traffic-control signal which, during operation, automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of each vehicle at the time it is used or operated in

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

LOCAL LAW NO.2-2010 (CONTINUED)

violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law.

G. A certificate, sworn to or affirmed by a technician employed by the Traffic Engineer, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape or other recorded images produced by a traffic-control signal photo violation-monitoring system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation imposed pursuant to this Section.

H. An owner liable for a violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law pursuant to this Section shall be liable for monetary penalties in accordance with a schedule of fines and penalties to be promulgated by such Bureau. The liability of the owner pursuant to this Section shall not exceed fifty dollars for each violation; provided however that such Bureau may provide for an additional penalty not in excess of twenty-five dollars for each violation for the failure to respond to a notice of liability within the prescribed time period. Such Bureau shall adjudicate liability imposed by this Section.

I. An imposition of liability under this Section shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.

J. A notice of liability shall be sent by first class mail to each person alleged to be liable as an owner for a violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law pursuant to this Section. Personal service on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein.

K. A notice of liability shall contain the name and address of the person alleged to be liable as an owner for a violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law pursuant to this Section, the registration number of the vehicle involved in such violation, the location where such violation took place, the date and time of

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

LOCAL LAW NO.2-2010 (CONTINUED)

such violation and the identification number of the camera which recorded the violation or other document locator number.

L. The notice of liability shall contain information advising the person charged of the manner and the time in which he or she may contest the liability alleged in the notice. Such notice of liability shall also contain a warning to advise the persons charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.

M. The notice of liability shall be prepared and mailed by the Bureau or its designee.

N. If an owner receives a notice of liability pursuant to this Section for any time period during which the vehicle was reported to the Police Department as having been stolen, it shall be a valid defense to an allegation of liability for a violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law pursuant to this Section that the vehicle had been reported to the Police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the defense provided by this subdivision it shall be sufficient that a certified copy of the police report on the stolen vehicle be sent by first class mail, return receipt requested, to such Bureau.

O. The owner liable for a violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law pursuant to this Section was not the operator of the vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator.

P. An appeal of an adjudication of liability pursuant to this Section may be taken in accordance with this Article.

Q. An owner who is a lessor of a vehicle to which a notice of liability was is sued pursuant to subdivision (h) of this Section shall not be liable for the violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law provided that:

1. prior to the violation the lessor has filed with the Bureau and paid the required filing fee in accordance with the provisions of Section two hundred thirty-nine of the Vehicle and Traffic Law; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

LOCAL LAW NO.2-2010 (CONTINUED)

2. within thirty-seven days after receiving notice from the Bureau of the date and time of a liability, together with the other information contained in the original notice of liability, the lessor submits to the Bureau the correct name and address of the lessee of the vehicle identified in the notice of liability at the time of such violation, together with such other additional information contained in the rental lease or other contract document, as may be reasonably required by the Bureau pursuant to regulations that may be promulgated for such purpose.

3. Failure to comply with subparagraph 2 or paragraph one of this subdivision shall render the owner liable for the penalty prescribed in this Section.

4. Where the lessor complies with the provisions of this subdivision, the lessee of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for purposes of this section, shall be subject to liability for such violation pursuant to this section and shall be sent a notice of liability pursuant to subdivision (h) of this Section.

R. Nothing in this Section shall be construed to limit the liability of an operator of a vehicle for any violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law.

S. On or before October 1, 2009, and every four months thereafter, until such time as the demonstration program authorized in subdivision (a) hereof shall be fully operational, the Director of the Parking Violations Bureau shall submit a written report to the City Council on the status of said demonstration program. Such report shall include, but not be limited to, the locations selected for inclusion in the demonstration program and the cost to the city, both individually and collectively, of each location included in such demonstration project.

T. The Director shall submit to the Governor, the temporary President of the Senate, the Speaker of the Assembly and the City Council, an annual report on the results of the use of a traffic-control signal photo violation-monitoring system on or before July first, two thousand and ten, and on the same date in each succeeding year, in which the demonstration program is operable. Such report shall include, but not be limited to:

1. a description of the locations where traffic-control signal photo violation-monitoring systems were used;

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

LOCAL LAW NO.2-2010 (CONTINUED)

2. the aggregate number, type and severity of accidents reported at intersections where a traffic-control signal photo violation-monitoring system is used for the year preceding the installation of such system, to the extent the information is maintained by the New York State Department of Motor Vehicles;
 3. the aggregate number, type and severity of accidents reported at intersections where a traffic-control signal photo violation-monitoring system is used, to the extent the information is maintained by the New York State Department of Motor Vehicles;
 4. the number of violations recorded at each intersection where a traffic-control signal photo violation-monitoring system is used and in the aggregate on a daily, weekly and monthly basis;
 5. the total number of notices of liability issued for violations recorded by such systems;
 6. the number of fines and total amount of fines paid after first notice of liability issued for violations recorded by such systems;
 - 7 the number of violations adjudicated and results of such adjudications including breakdowns of dispositions made for violations recorded by such systems;
 8. the total amount of revenue realized by Yonkers from such adjudications;
 9. expenses incurred by Yonkers in connection with the program; and
 10. quality of the adjudication process and its results.
- U. It shall be a defense to any prosecution for a violation of subdivision (d) of Section eleven hundred eleven of the Vehicle and Traffic Law pursuant to this Section that such traffic-control indications were malfunctioning at the time of the alleged violation.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

LOCAL LAW NO.2-2010

V. This law will terminate, unless extended by the New York State Legislature, on December 1, 2014. “

Section 2. This local law shall take effect immediately.

THIS LOCAL LAW WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 25, 2010 BY A ROLL CALL VOTE OF 6-1. MINORITY LEADER MURTAGH VOTING “NAY”

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

SPECIAL ORDINANCE NO.16-2010

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

A SPECIAL ORDINANCE AMENDING THE CITY OF YONKERS GRANT 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 Police Department for a grant from N.Y.S. Office of Alcoholism and Substance Abuse, for purpose of Enforcement of Drinking Laws and active community participation.

Increase Estimated Revenues

NYS DCJS	049-G16-3054-7518	\$6,000
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Increase Appropriation

Police – Overtime	049-G16-3054-0198	\$6,000
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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 ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 25, 2010 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.72-2010

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

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has been awarded a Federal Grant from the United States Department of Justice, Office of Juvenile Justice and Delinquency (OJJDP) under the Enforcing Underage Drinking Laws (EUDL) Block Grant; and

WHEREAS, NYS OASAS has entered into an agreement with Student Assistance Services Corporation, a New York State not for profit corporation, to increase the number of retail compliance checks and improve the rate of alcohol establishments that comply with the laws prohibiting alcohol sales to minors and to prevent and reduce access of minors to alcohol; and

WHEREAS, the City of Yonkers has agreed to participate as a law enforcement partner and to participate in the EUDL program, and Student Assistance Services is empowered to provide said programming in the City of Yonkers; and

WHEREAS, the Yonkers Police Department has been awarded a \$6,000 grant (2010 OASAS/EUDL Student Assistance Services Sub-Grant T001162) to ensure that alcohol establishments comply with laws prohibiting alcohol sale to minors and the City of Yonkers is not obligated to provide matching funds for this sub-grant; and

WHEREAS, the Mayor of the City of Yonkers is hereby authorized to execute such agreement with the aforementioned Student Assistance Services, to provide for the payment of the \$6000 grant to the Yonkers Police Department ; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor of the City of Yonkers, or his authorized representative, is hereby authorized to execute the aforementioned Agreement with Student Assistance Services, to provide a \$6000 Grant to the City of Yonkers to assist in the enforcement of laws prohibiting the sale of alcohol to minors, with no requirement for matching funds from the City; and be it further;

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.72-2010 (CONTINUED)

RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 25, 2010 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.73-2010

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

WHEREAS, the need for universal prekindergarten is essential for the development of students; and

WHEREAS, the Yonkers City School District has a fully implemented Universal Prekindergarten Program in its schools that has been regarded as a model for other districts and has had a significant positive impact on improving student performance in the District; and

WHEREAS, due to the current state-wide fiscal crisis, the Yonkers Universal Prekindergarten Program is now cut in its entirety in the proposed Fiscal Year 2010-2011 budget; and

WHEREAS, NYS Senator Andrea Stewart-Cousins and NYS Assemblyman Michael Spano have introduced, Senate Bill S7190 and Assembly Bill A10435, an act to provide an apportionment to the Yonkers city school district based upon universal prekindergarten enrollment; and

WHEREAS, the effect of this bill would be to help the funding formula to provide the maximum benefit to the local community it was designed to help; and

WHEREAS, the proposed legislation states "effective July 1, 2010, there shall be an apportionment made to the Yonkers city school district, and such apportionment shall be for an amount equivalent to the base year total of universal prekindergarten pupils served, multiplied by the value calculated by subtracting from the selected foundation aid per pupil, the quotient calculated by dividing the base year universal prekindergarten grant by the base year total of universal prekindergarten pupils"; and

WHEREAS, the act provides additional aid of \$4.8 million to the District in support of its commitment to serving the needs of its prekindergarten population; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.73-2010 (CONTINUED)

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers hereby declares that the enactment of Senate Bill S. 7190 would be in the best interest of the City and is essential to improving the City's financial stability and independence; and

BE IT FURTHER RESOLVED, the City Council of Yonkers strongly urges the State Senate and Assembly to pass this important legislation and for Governor Paterson to sign it into law; and

ALSO RESOLVED, that the City Council requests the City Clerk to forward a copy of this Resolution to the Legislature of the State of New York and Governor Paterson requesting the passage of the aforementioned bill.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 25, 2010 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.74-2010

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

WHEREAS, the current educational funding formula does not adequately provide for the significant increase in the student enrollment in Yonkers Public Schools and the significant demand for English as a Second Language; and

WHEREAS, NYS Senator Andrea Stewart-Cousins and Assemblyman Michael Spano introduced Senate Bill S4816 and Assembly Bill A8167, an act to amend the education law, in relation to supplemental educational improvement plan grants; and

WHEREAS, the effect of this bill would be to increase funding to the City of Yonkers by providing a maximum benefit to the local community it was designed to help; and

WHEREAS, regional cost indexes were recently adopted under the State's new Foundation Aid formula for public education; and

WHEREAS, certain school districts, however, may also receive supplemental educational improvement plan grants, which are designed to provide additional State funds for the continuation of programs and services; and

WHEREAS these funds should also be subject to the regional cost differences accounted for in the new school aid formula.

WHEREAS, this measure would provide to the Yonkers city school district with seventeen million five hundred thousand dollars (\$17,500,000).

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers hereby declares that the enactment of Senate Bill S4816 and Assembly Bill A8167 amending the education law is in the best interest of the City

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.74-2010 (CONTINUED)

and is essential to improving the City's financial stability and independence; and

BE IT FURTHER RESOLVED, the City Council of Yonkers strongly urges the State Senate and Assembly to pass this important legislation and for Governor Paterson to sign it into law; and

ALSO RESOLVED, that the City Council requests the City Clerk to forward a copy of this Resolution to the Legislature of the State of New York and Governor Paterson requesting the passage of the aforementioned bill.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 25, 2010 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.75-2010

6. 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 June 30, 2012.

Patrick McLaughlin
20 Wilbur Street
Yonkers, New York 10704

Retired

NEW

Patrick McLaughlin
20 Wilbur Street
Yonkers, New York 10704

NEW

City of Yonkers

Steve Tvert
1 David Lane
Yonkers, New York 10701

Citi Bank

NEW

Amy Abrusci
695 Yonkers Avenue
Yonkers, New York 10704

Child Care

NEW

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.75-2010 (CONTINUED)

Bernadette McLaughlin
20 Wilbur Street
Yonkers, New York 10704

Retired

NEW

Josephine Viviano
437 Palisade Avenue – E2
Yonkers, New York 10703

Clerk

RENEWAL

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 25, 2010 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.76-2010

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

WHEREAS, the Young Women's Christian Association of Yonkers, located at 87 South Broadway in Yonkers will be holding its 18th "Celebrity Chef's" Benefit on Sunday, June 13, 2010 from 2:00pm until 6:00pm, and has requested permission from the City Council to display (3) three banners in specific area promoting this event from the week of May 17 until Monday, June 14, 2010, and

WHEREAS, the Young Women's Christian Association of Yonkers requested that they be permitted to place three banners in the following locations:

1. On Central Park Avenue, at the intersection/overpass of Yonkers Avenue (Empire City).
2. On Executive Boulevard at the intersection/overpass of North Broadway (banner to face Executive Boulevard).
3. On Nepperhan Avenue; on the overpass by City Hall

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to the Yonkers Women's Christian Association of Yonkers to place three 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, MAY 25, 2010 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION

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

WHEREAS, the late BISHOP ERNEST HAIRSTON and his loving wife Lucille resided in Yonkers on Runyon Avenue for over 40 years where they raised their two children and grandchildren; and

WHEREAS, BISHOP ERNEST HAIRSTON graduated from Kimball High School in the mid-west, attended Aeon Bible Institute in Aeon, Ohio, received a BA from SUNY Purchase College and a Doctorate of Theology at Manhattan Bible Institute; and

WHEREAS, BISHOP HAIRSTON served at the Strait Gate Apostolic Church in Mamaroneck, NY under the leadership of the late Bishop Powell, thereafter being called to serve the Runyon Heights Community and the very fine people of The Kings Highway Apostolic Church as Pastor at 36 Kenmore Street in Yonkers for 38 years; and

WHEREAS, for 38 years not only did BISHOP HAIRSTON provide spiritual guidance for the Runyon Heights community his heart was filled with love and compassion opening his home to a host of congregational and neighborhood children along with orchestrating food drives for the needy and toy drives for the underprivileged children of Yonkers; and

WHEREAS, BISHOP HAIRSTON assisted many churches throughout our, City, State, and Nation in their infancy by donating chairs, organs, pews, lights, transportation and so much more; and

WHEREAS, it is with great sadness that the City Council recognizing the passing of BISHOP ERNEST HAIRSTON and know that his accomplishments in the City of Yonkers will greatly be remembered.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby directs the City Clerk to set a public hearing date for the consideration of adding the honorary street naming of "BISHOP ERNEST HAIRSTON WAY" on Kenmore Street, between Potomac and Dunbar Streets; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION (CONTINUED)

BE IT FURTHER RESOLVED, that the City Council requests that the Administration have the Traffic Engineering Department make and affix signs at the appropriate street corners designating the honorary naming; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

PUBLIC HEARING SET FOR JUNE 8, 2010 COUNCIL MEETING

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

RESOLUTION NO.77-2010

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

WHEREAS, Detective John Geiss of the Yonkers Police Department Cold Case Unit has been a member of the Yonkers Police Department since 1987, having transferred from the New York City Transit Police Department, and Detective Geiss has worked in the First and Fourth Precincts, and in 1995 was promoted to the rank of Detective and assigned to the Major Case Unit, and continues to serve as the department's polygraphist and as a crisis negotiator; and

WHEREAS, on February 5, 1989, Maria Ramos, age 26 years, and mother of one child, was found murdered at 78 Fernbrook Street, and on March 28, 1991, Tawanda Hodges, age 27 years, and mother of three children, was found murdered on Federal Street, and on May 24, 1996, Kimberly Moore, age 30 years, and mother of two children, was found murdered at the Tradewinds Motel on Yonkers Avenue, and in 2000, Detective John Geiss was assigned to the Cold Case Unit and investigated the aforementioned homicides; and

WHEREAS, Detective Geiss interviewed hundreds of people related to the above murders, traveled inter-state, and worked tirelessly to develop leads, evidence and information on the whereabouts of the killer of the above young women, and Detective Geiss recently learned of a new submission of DNA to the CODIS database that matched DNA left at the crime scenes of the above-mentioned murders and subsequently was able to identify the murderer of the three women; and

NOW, THEREFORE BE IT RESOLVED THAT, the City Council of Yonkers recognizes the dedication and extraordinary efforts of Detective John Geiss and the Yonkers Police Department Cold Case Unit that has brought a serial killer to justice and resulted in grand jury indictments for the murders of Maria Ramos, Tawanda Hodges and Kimberly Moore.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 25, 2010 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 25, 2010

COMMITTEE REPORTS

THIS MEETING WAS ADJOURNED AT 8:27PM