

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

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

TIME: 8:15PM

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 June 22, 2010 and special meetings held on July 1, 2010, July 9, 2010 and July 14, 2010 approved on motion of Majority Leader Patricia McDow.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
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**REPORTS AND COMMUNICATIONS OF CITY OFFICERS**

1. FROM MAYOR AMICONE DATED AUGUST 12, 2010 A LETTER FORWARDING THE NAME OF ROBERT YEDOWITZ TO SERVE ON THE LANSMARKS PRESERVATION BOARD AFTER THE APPROVAL AND CONSENT OF THE CITY COUNCIL.
2. FROM ROMAN KOZICKY, PLANNING BOARD CHAIRMAN, DATED JUNE 8, 2010 FORWARDING A RESOLUTION FROM THE PLANNING BOARD APPROVING, WITH CONDITIONS, A SPECIAL USE PERMIT AND SITE PLAN APPLICATION FOR THE PROPOSED INSTALLATION OF A GUARD HOUSE AND TREE REMOVAL PLAN AT BLOCK: 8002, LOT: 1 ON THE PROPERTY KNOWN AS 100 CENTRAL PARK AVENUE, THE HOLLVIEW RESERVOIR PURSUANT TO ARTICLE IX AND ARTIC VII OF THE YONKERS ZONING ORDINANCE.
3. FROM ROMAN KOZICKY, PLANNING BOARD CHAIRMAN, DATED AUGUST 2, 2010 FORWARDING A RESOLUTION FROM THE PLANNING BOARD APPROVING A SPECIAL USE PERMIT AND SITE PLAN APPLICATION FOR A PROPOSED DELUGE HOUSE AND RELATED SUPPLY PIPING HOUSE AT BLOCK: 4001, LOT: 150 ON THE PROPERTY KNOWN AS 15 GRASSY SPRAIN ROAD (CON ED) PURSUANT TO ARTICLE IX AND ARTICLE VII OF THE YONKERS ZONING ORDINANCE.
4. FROM ROMAN KOZICKY, PLANNING BOARD CHAIRMAN, DATED AUGUST 2, 2010 FORWARDING A RESOLUTION FROM THE PLANNING BOARD APPROVING A SPECIAL USE PERMIT AND SITE PLAN APPLICATION FOR A PROPOSED DELUGE HOUSE AND RELATED SUPPLY PIPING HOUSE AT BLOCK: 5000, LOT: 1 ON THE PROPERTY KNOWN AS 590 PALMER ROAD (CON ED) PURSUANT TO ARTICLE IX AND ARTICLE VII OF THE YONKERS ZONING ORDINANCE.
5. FROM LEE ELLMAN, PLANNING DIRECTOR, DATED AUGUST 17, 2010 AN E-MAIL ATTACHING AN ENVIRONMENTAL ASSESSMENT FORM AND LEAD AGENCY NOTICE FOR THE PROPOSED 10 WARBURTON AVENUE PARKING GARAGE.
6. FROM LEE ELLMAN, PLANNING DIRECTOR, DATED JULY 30, 2010 A MEMORANDUM REGARDING THE SAW MILL RIVER DAYLIGHTING PROJECT LEAD AGENCY NOTIFICATION AND ENVIRONMENTAL ASSESSMENT FORM.

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**REPORTS AND COMMUNICATIONS OF CITY OFFICERS**  
**(CONTINUED)**

7. FROM CHRISTINE CARNEY, AN E-MAIL FORWARDING A COPY OF THE LEAD AGENCY NOTICE FOR 260 WARBURTON AVENUE REGARDING THE PROPOSED EXPANSION OF THE EXISTING CHARTER SCHOOL FOR EDUCATION EXCELLENCE.
  
8. FROM ROMAN KOZICKY, PLANNING BOARD CHAIRMAN, DATED JUNE 15, 2010 FORWARDING A RESOLUTION FROM THE PLANNING BOARD IN RESPONSE TO THE CITY COUNCIL'S REFERRAL FOR A LAND USE RECOMMENDATION REGARDING AN AMENDMENT TO THE YONKERS ZONING ORDINANCE REGARDING DEFINITIONS OF TERMS (BLIGHTED BUILDINGS AND SITES)
  
9. FROM ROMAN KOZICKY, PLANNING BOARD CHAIRMAN, DATED JUNE 16, 2010 FORWARDING A RESOLUTION FROM THE PLANNING BOARD APPROVING, WITH CONDITIONS, A SPECIAL USE PERMIT AND SITE PLAN APPLICATION FOR A LIVE-WORK BUILDING KNOWN AS 2 MANOR HOUSE SQUARE, BLOCK 2003, LOTS: 13 AND 16; O PURSUANT TO ARTICLE VII SECTION 43-78 (C) AND ARTICLE IX OF THE YONKERS ZONING ORDINANCE.
  
10. FROM LEE ELMAN, PLANNING BOARD DIRECTOR, DATED AUGUST 5, 2010 RE: SEQRA FOR 1217 YONKERS AVENUE TO DETERMINE LEAD AGENCY PURSUANT TO THE REQUIREMENTS OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT. THE YONKERS ZONING BOARD OF APPEALS WILL ASSUME LEAD AGENCY.

**FILED**

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
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**COMMUNICATIONS GENERALLY**

1. FROM McCULLOUGH, GOLDBERGER & STAUDT, LLP ON BEHALF OF THE VILLAGE OF BRONXVILLE NOTICE OF A PROPOSED ZONING AMENDMENT TO REGULATE THE INSTALLATION AND OPERATION OF SOLAR ENERGY AND OTHER RENEWABLE ENERGY SYSTEMS. A PUBLIC HEARING WILL BE HELD ON MONDAY, SEPTEMBER 13, 2010 AT BRONXVILLE VILLAGE HALL AT 8 P.M.
  
2. FROM STEVEN J. HANCOX, DEPUTY COMPTROLLER, OF THE STATE OF NEW YORK OFFICE OF THE STATE COMPTROLLER, DATED JULY 26, 2010 TO MAYOR AMICONE ADVISING THE MAYOR THAT HE HAS REVIEWED THE ADOPTED BUDGET FOR FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2010 TOGETHER WITH THE JUSTIFICATION DOCUMENTS AND THAT THE DOCUMENTS ARE IN COMPLIANCE.
  
3. FROM THE STATE DEPARTMENT OF AGRICULTURE AND MARKETS TO ALL DOG LICENSING STAKEHOLDERS (MUNICIPALITIES) FORWARDING CHANGES IN THE STATE LAW THAT HAVE TRANSFERRED ALL OF THE RESPONSIBILITIES FOR ISSUING DOG LICENSES FROM THE STATE TO THE MUNICIPALITIES (THE CITY, TOWN AND VILLAGE CLERKS) EFFECTIVE JANUARY 1, 2011.
  
4. FROM THE CLERK OF THE VILLAGE OF TUCKAHOE COPY OF A LOCAL LAW REGARDING A ZONE CHANGE FOR CRESTWOOD PLAZA, LLC AFFECTING PREMISES 300-308 COLUMBUS AVENUE, TUCKAHOE.

**FILED**

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COMMITTEE OF THE WHOLE

NO SPEAKERS

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

SPECIAL ORDINANCE NO.36-2010

1. 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 2010/2011 AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO RECEIVE SAID GRANT.

The City of Yonkers hereby ordains and enacts:

Section 1: The City's Grant Budget for fiscal year 2010/2011 is hereby amended by increasing revenues and appropriations for the Parks Department for a grant from New York State Office for the Aging sponsored by State Senator Andrea – Stewart- Cousins for the support of senior citizen's centers.

Increase Estimated Revenues

NYS Office for the Aging	049-G18-1308-3195	\$15,000.00
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Increase Appropriation

Parks Dept. – Special Projects	049-G18-1308-0496	\$15,000.00
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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: The Mayor and/or his designee be and the same is hereby authorized to execute any documents in connection with receipt of said grant.

Section 4: This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
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SPECIAL ORDINANCE NO.37-2010

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 2010/2011 AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO RECEIVE SAID GRANT.

The City of Yonkers hereby ordains and enacts:

Section 1: The City's Grant Budget for fiscal year 2010/2011 is hereby amended by increasing revenues and appropriations for the Parks Department for a grant from New York State Office for the Aging sponsored by State Senator Klein for the support of senior citizen's exercise programs at Coyne Park.

Increase Estimated Revenues

NYS Office for the Aging	049-G18-1309-3195	\$5,000.00
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Increase Appropriation

Parks Dept. – Special Projects	049-G18-1309-0496	\$5,000.00
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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: The Mayor and/or his designee be and the same is hereby authorized to execute any documents in connection with receipt of said grant.

Section 4: This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
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SPECIAL ORDINANCE NO.38-2010

3. 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 2010/2011 AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS IN CONNECTION WITH RECEIPT OF SAID GRANT.

The City of Yonkers hereby ordains and enacts:

Section 1: The City's Grant Budget for fiscal year 2010/2011 is hereby amended by increasing revenues and appropriations for the Parks Department for a grant from New York State Office for the Aging sponsored by State Senator Andrea – Stewart- Cousins for the support of senior citizens activities and performances.

Increase Estimated Revenues

NYS Office for the Aging	049-G18-1306-39195	\$2,970.00
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Increase Appropriation

Parks Dept. – Special Projects	049-G18-1306-0496	\$2,970.00
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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: The Mayor and/or his designee be and the same is hereby authorized to execute any documents in connection with receipt of said grant.

Section 4: This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
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**SPECIAL ORDINANCE**

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

AN ORDINANCE AUTHORIZING AND PERMITTING THE PROPERTY OF 61 GIBSON PLACE. BLOCK 51 LOT (S) 11 TO MAKE A LONG HOUSE CONNECTION TO THE CITY'S SANITARY SYSTEM IN COURTER AVE. (NO EXPENSE TO THE CITY OF YONKERS).

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

Section 1. Permission is hereby granted to the property owner of 61 GIBSON PL., Block 51 Lot(s) 11 to make a long house sanitary sewer connection from said lot to a city sanitary sewer in Rigby Street at his own cost and expense and in accordance with the plan submitted by STEVEN A. COSTA, P.E. # 64369 dated 12/29/2009, filed in the Plumbing Division, subject to the conditions of a Plumbing Permit to be secured from the Plumbing Division and a street opening permit to be secured from the City Engineer.

Section 2. This permission is granted under the following terms and conditions, to wit:

The granting of this permission shall, in no way, free or release the said owner, or his successors, from the payment of any assessments or benefits accruing to said lot by reason of the construction of any sanitary sewer already built, or that hereafter shall be built, to serve the area within which the lot herein referred to is located.

The cost of construction, maintenance and repairs of said long house connection shall be the responsibility of the owner of the building served by the long house connection.

Section 3. This ordinance shall take effect immediately.

THE ABOVE LEGISLATION WAS PUT OVER TO THE SEPTEMBER, 28 2010 STATED COUNCIL MEETING.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**SPECIAL ORDINANCE**

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

AN ORDINANCE AUTHORIZING AND PERMITTING THE PROPERTY OF 65 GIBSON PLACE. BLOCK 51 LOT (S) 13 TO MAKE A LONG HOUSE CONNECTION TO THE CITY'S SANITARY SYSTEM IN COURTER AVE. (NO EXPENSE TO THE CITY OF YONKERS).

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

Section 1. Permission is hereby granted to the property owner of 65 GIBSON PL., Block 51 Lot(s) 13 to make a long house sanitary sewer connection from said lot to a city sanitary sewer in Rigby Street at his own cost and expense and in accordance with the plan submitted by STEVEN A. COSTA, P.E. # 64369 dated 12/29/2009, filed in the Plumbing Division, subject to the conditions of a Plumbing Permit to be secured from the Plumbing Division and a street opening permit to be secured from the City Engineer.

Section 2. This permission is granted under the following terms and conditions, to wit:

The granting of this permission shall, in no way, free or release the said owner, or his successors, from the payment of any assessments or benefits accruing to said lot by reason of the construction of any sanitary sewer already built, or that hereafter shall be built, to serve the area within which the lot herein referred to is located.

The cost of construction, maintenance and repairs of said long house connection shall be the responsibility of the owner of the building served by the long house connection.

Section 3. This ordinance shall take effect immediately.

THE ABOVE LEGISLATION WAS PUT OVER TO THE SEPTEMBER 28, 2010 STATED COUNCIL MEETING.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

RESOLUTION NO.109-2010

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

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 SIXTY-THREE and 98/100 DOLLARS (\$863.98) of the action entitled, "GOVERNMENT EMPLOYEES INSURANCE COMPANY A/S/O PRICELLA MOORE (residing at 17 McIntosh Drive, Poughkeepsie, NY 12603) plaintiffs, against THE CITY OF YONKERS, Defendant", for property damage arising out of an incident in which it is alleged that a Department of Public Works truck owned by the City of Yonkers, struck his vehicle on Linden Street in front of 179 Linden Street on the 27<sup>th</sup> day of August, 2008, 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 SIXTY-THREE and 98/100 DOLLARS (\$863.98) in favor of said plaintiff.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**RESOLUTION NO.110-2010**

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

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

That the settlement by the Corporation Counsel in the amount of ONE THOUSAND SIX HUNDRED THIRTY-TWO AND 63/100 DOLLARS (\$1,632.63) of the action entitled, "USAA A/SO JUAN TORRES, claimant against THE CITY OF YONKERS, Respondent", for property damage arising out of an alleged accident alleging that his vehicle, 2007 Audi sedan, was struck by a City owned truck while traveling on Saw Mill River Road and Lockwood Avenue on July 27, 2009, 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 ONE THOUSAND SIX HUNDRED THIRTY-TWO AND 63/100 DOLLARS (\$1,632.63) in favor of said claimant and made payable USAA INS. CO., as trustee.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

RESOLUTION NO.111-2010

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

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

That the settlement by the Corporation Counsel in the amount of ONE THOUSAND SEVEN HUNDRED DOLLARS (\$1,700.00) of the action entitled, "NOEMI GONZALEZ (residing at 102 Highland Avenue, Yonkers, New York 10705), plaintiff against THE CITY OF YONKERS, Defendant", for property damage that occurred on June 10, 20010 where Michael Kostewich was involved in a motor vehicle accident on Tuchahoe Road and Touissant Avenue. The officer observed a construction vehicle pushing heavy plates towards his vehicle. Officer Kostewich then entered his vehicle and began backing his vehicle away from the construction vehicle. At this time the radio car collided with a second vehicle (2007 Honda Registration # DEB 7982) operated by Wilfredo Gonzalez (05-14-58) There was no damage sustained by the radio car and estimated damage of \$2,688.91 damage to the claimant's vehicle.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**RESOLUTION NO.112-2010**

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

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

That the settlement by the Corporation Counsel in the amount of ONE THOUSAND NINE HUNDRED THIRTEEN DOLLARS AND FOUR CENTS (\$1,913.04) of the action entitled, "STATE FARM INSURANCE A/S/O ROBERT A. QUINN, residing at Upland Avenue, Yonkers, New York, claimant against THE CITY OF YONKERS, Defendant", for property damage arising out of an alleged accident alleging that his vehicle was struck by a Yonkers Fire Department vehicle on May 18, 2009, 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 ONE THOUSAND NINE HUNDRED THIRTEEN DOLLARS AND FOUR CENTS (\$1,913.04) in favor of said claimant State Farm Insurance Company as subrogee of Robert A. Quinn, and his attorneys, Ali, Pappas & Cox, P.C.,

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.



**ANNOTATED AGENDA**  
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**WEDNESDAY, SEPTEMBER 15, 2010**

RESOLUTION NO.113-2010

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

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

That the settlement by the Corporation Counsel in the amount of Three Thousand Eight Hundred Eighty-Seven Dollars and Seventy-Five (\$ 3,887.75) of the claim entitled, "MetLife Auto & Home a/s/o Elizabeth Hodges, (business address at P.O. Box 1503, Latham, New York, 12110-1503), Claimant against THE CITY OF YONKERS, Respondent", for property damage arising out of a motor vehicle accident on March 4, 2010 on Tuckahoe Road, in Yonkers, New York, 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 Three Thousand Eight Hundred Eighty-Seven Dollars and Seventy-Five (\$ 3,887.75) in favor of said claimant.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

RESOLUTION NO.114-2010

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

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

That the settlement by the Corporation Counsel in the amount of Five Thousand Dollars (\$5,000.00) of the action entitled, "Robert McKinlay, (residing at 707 Palisade Avenue, Yonkers, New York, 10701), Plaintiff against THE CITY OF YONKERS, Defendant", for personal injuries arising out of an incident alleging that his constitutional rights were violated on July 3, 2006, 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 Five Thousand Dollars (\$5,000.00) in favor of said plaintiff and his attorneys, Rodman & Campbell, P.C., 1428 East Gun Hill Road, Bronx, New York, 10469, as attorneys for Robert McKinlay.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
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**WEDNESDAY, SEPTEMBER 15, 2010**

RESOLUTION NO.115-2010

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

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

That the settlement by the Corporation Counsel in the amount of \$1.2 Million dollars (\$1,200,000), payable in three (3) installments of four hundred thousand dollars (\$400,000) each, of the action entitled, "NELLA SMITH, (residing at 2317 Palmer Avenue, New Rochelle, New York 10801) plaintiff, against THE CITY OF YONKERS, Defendant", for personal injuries and medical expenses arising out of an accident, wherein a City of Yonkers Police Department vehicle struck the rear of plaintiff's vehicle while plaintiff waited for a traffic signal, causing injuries that led to a back fusion surgery for plaintiff, leading to a jury verdict in the amount of \$1.4 million dollars against the City of Yonkers, 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 \$1.2 Million Dollars (\$1,200,000) in favor of said plaintiff and her attorneys Kelner & Kelner, Esqs., 140 Broadway, 37<sup>th</sup> Floor, New York, New York 10005.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

RESOLUTION NO.116-2010

13. 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 September 31, 2012.

Arlene Santos-Wright  
1 Glenwood Avenue #23-D  
Yonkers, New York 10701

Childcare Worker RENEWAL

Hugh I. Magee, III  
11 Courter Avenue  
Yonkers, New York 10705-4411

Bus Transportation – Liberty Lines RENEWAL

Joseph Parente  
37 Deshon Ave.  
Yonkers, New York 10708

City Of Yonkers RENEWAL

Spiros Kokkoris  
735 Palisade Ave  
Yonkers, New York 10703

Florist RENEWAL

Pasquale F. Pellegrino  
231 Willow Street  
Yonkers, New York 10705

Plumber NEW

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**RESOLUTION NO.116-2010 (CONTINUED)**

Paula Antenucci  
216 Chase Ave  
Yonkers, New York 10703

Plumber

RENEWAL

Carmen Vega  
538 Riverdale Ave  
Yonkers, New York 10705

Law Office

RENEWAL

Sally Ann Fatone  
963 Midland Ave  
Yonkers, New York 10704

Retired

NEW

Priscilla Clymer  
1200 Warburton Ave, 5D  
Yonkers, New York 10701

Residential Services

RENEWAL

Hugh Fox, Jr.  
262 Hoover Road  
Yonkers, New York 10710

Retired

RENEWAL

Mildred Pietrangelo  
55 Roberts Lane  
Yonkers, New York 10701

Bookkeeper

RENEWAL

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**RESOLUTION NO.116-2010 (CONTINUED)**

Grace DiBattista  
132 Briggs Avenue  
Yonkers, New York

Clerk II – Yonkers Building Department

RENEWAL

Kathi McCarthy  
739 Palisade Avenue  
Yonkers, New York 10703

Assistant Commissioner – Yonkers Building Department

RENEWAL

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

RESOLUTIONNO.117-2010

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

WHEREAS, the Youth Interaction Theatre (YTI), will be holding its Annual Jimmy's Jam Fundraiser on Wednesday, November 10, 2010 from 6:00PM until 10:00PM at The Polish Center, 92 Waverly Street, and

WHEREAS, YTI has requested permission from the City Council to have their banners displayed to promote this event as soon as possible until the day of the event in the following locations:

- \* Central Park Avenue, at the intersection/overpass of Yonkers Avenue
- \* Banner on Main Street, at the intersection of Warburton Avenue and Main Street.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to the Veteran's Administration Clinic to place two 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 WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**RESOLUTION NO.118-2010**

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

WHEREAS, Firefighter Patrick Joyce was a brave and heroic member of the Yonkers Fire Department, successful business leader and loving father and husband and,

WHEREAS, in addition to his dedication to his family and to the people of Yonkers, Firefighter Joyce also served the community through many acts of charity and philanthropy and,

WHEREAS, Firefighter Joyce was, in particular, a great supporter of Ronald McDonald House and,

WHEREAS, Firefighter Joyce died tragically on the night of October 2, 2009 while in the line of duty protecting the people of Yonkers and,

WHEREAS, the First Annual Patrick Joyce Memorial Fund Benefit which supports the Ronald McDonald House of NY and the Tree House program at the Bereavement Center of Westchester will be held October 10, 2010 from 2:00 pm to midnight at the Social at Dunwoodie Golf Course. The Patrick Joyce Memorial Fund Benefit Committee has requested permission from the City Council to place banners in areas promoting this event, and

WHEREAS, The Patrick Joyce Memorial Fund Benefit Committee has asked that they be permitted to place two (2) banners at preexisting authorized banner locations; one at the intersection of McLean Avenue and Kimball Avenue and the other at the intersection of Central Park Avenue and Yonkers Avenue on or before September 24, 2010 and to be removed as soon after October 10th, 2010 as is possible.



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**RESOLUTION NO.118-2010 (CONTINUED)**

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to The Patrick Joyce Memorial Fund Benefit Committee 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 WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**RESOLUTION NO.119-2010**

- 16A. BY: COUNCILMEMBER LARKIN, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS GRONOWSKI, TERRERO AND SHEPHERD;

WHEREAS, Our Lady of Fatima School, located at 963 Scarsdale Road. in Yonkers will hold its annual Carnival beginning on Friday, October 1, 2010, through Sunday, October 3, 2010, and has requested permission from the City Council to place two banners in the area promoting this event, and

WHEREAS, Our Lady of Fatima School has asked that they be permitted to place two (2) banners at the location of Central Park Ave. & Sadore Lane, on the pedestrian over-pass (one north-bound and the other south-bound) or where ever convenient in that same area on Central Park Ave., on or around September 14, 2010, and to be removed as soon after October 3, 2010 as is possible.

WHEREAS, said locations are subject to the scheduling and availability of the banner sites as administered by the Department of Public Works.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to Our Lady of Fatima School 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 WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

RESOLUTION NO.120-2010

- 17A. BY: COUNCILMEMBER SHEPHERD, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS GRONOWSKI, TERRERO AND LARKIN;

WHEREAS, St. John the Baptist Church, located at 670 Yonkers Avenue in Yonkers will be holding it's Annual Casino Night, Saturday , October 9 , 2010, and has requested permission from the City Council to place three banners in the area promoting this event, and

WHEREAS, St. John the Baptist Church has asked that they be permitted to place three banners: (1) banner on the Mclean Avenue bridge over Central Park Avenue and (2) Sadore Lane bridge ( at Central Park Avenue) Southbound and (3) Odell and Nepperhan Avenue, on or around September 16th, 2010 and to be removed as soon after October 9th, 2010 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 WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**RESOLUTION NO.121-2010**

- 18A. BY: COUNCILMEMBER SHEPHERD, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS GRONOWSKI, TERRERO AND LARKIN;

WHEREAS, St. Paul the Apostle Parish, located at 602 McLean Avenue in Yonkers will hold its Annual St. Paul the Apostle Fair on Thursday, Oct. 7<sup>th</sup>, Friday, Oct. 8<sup>th</sup>, Saturday Oct 9<sup>th</sup>, Sunday, October 10<sup>th</sup>, and Monday October 11<sup>th</sup> 2010, and has requested permission from the City Council to place four banners within the city promoting this event, and

WHEREAS, St. Paul the Apostle Parish has asked that the banners be placed as soon as possible, at the following locations: (1<sup>st</sup>.) McLean Avenue & Central Park Avenue, (2<sup>nd</sup>) O'Dell Avenue & Nepperhan Avenue, (3<sup>rd</sup>) Tuckahoe Road & Central Park Avenue and the (4<sup>th</sup>) at Yonkers Ave. & Midland Ave. closest to the Old Gold's Gym, or where ever convenient; and to be removed as soon after October 11, 2010 as is possible.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Yonkers hereby grants permission to St. Paul the Apostle Parish 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 WEDNESDAY, SEPTEMBER 15, 2010 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**

**COMMITTEE REPORTS**

THIS MEETING WAS ADJOURNED AT 8:45PM