

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**WEDNESDAY, FEBRUARY 23, 2011**

TIME: 8:35PM

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 - ABSENT  
6                    JOHN LARKIN

WE, THE UNDERSIGNED MEMBERS 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 WEDNESDAY, FEBRUARY 23, 2011 IN THE CITY COUNCIL CHAMBERS, FOURTH FLOOR, CITY HALL, YONKERS, NEW YORK AT 8:30 P.M. **OR IMMEDIATELY FOLLOWING THE MAYOR'S STATE OF THE CITY ADDRESS** FOR THE FOLLOWING PURPOSE:

TO DISCUSS AND TAKE ACTION ON:

1.     A LOCAL LAW AMENDING LOCAL LAW NO. 8-1984, AS AMENDED BY LOCAL LAW NO. 9-1984, LOCAL LAW NO. 12-1984, LOCAL LAW NO. 9-1988, LOCAL LAW NO. 9-1991, LOCAL LAW NO. 6- 1994, LOCAL LAW NO. 5-1995, LOCAL LAW NO. 8-1996 AND LOCAL LAW NO. 10-1997 ENTITLED "A LOCAL LAW PURSUANT TO 30-A AND 30-B OF THE NEW YORK STATE TAX LAW AMENDING THE CODES AND ORDINANCES OF THE CITY OF YONKERS BY A NEW ARTICLE IX IN RELATION TO THE IMPOSITION OF A CITY OF YONKERS INCOME TAX SURCHARGE AND A CITY OF YONKERS EARNING TAX ON NON-RESIDENTS" IN RELATION TO AMENDING SAID LOCAL LAW TO CONFORM WITH THE 2009 AMENDMENTS OF THE

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NEW YORK STATE TAX LAW AND SPECIFICALLY AMENDING SECTIONS 15-104 AND 15-111 OF THE CODE OF THE CITY OF YONKERS IN REGARD TO THE ESTIMATED TAX AND THE AMOUNT OF THE INCOME TAX SURCHARGE.

2. ALL OTHER BUSINESS PROPERLY COMING BEFORE THE COUNCIL.

COUNCIL PRESIDENT CHUCK LESNICK  
MAJORITY LEADER PATRICIA McDOW  
MINORITY LEADER JOHN MURTAGH  
COUNCILMEMBER JOHN LARKIN

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**COMMITTEE OF THE WHOLE**

**NONE**

**AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
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**LOCAL LAW NO.3-2011**

1. BY: COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW,  
MINORITY LEADER MURTAGH AND COUNCILMEMBER LARKIN;

A LOCAL LAW AMENDING LOCAL LAW NO. 8-1984, AS AMENDED BY LOCAL LAW NO. 9-1984, LOCAL LAW NO. 12-1984, LOCAL LAW NO. 9-1988, LOCAL LAW NO. 9-1991, LOCAL LAW NO. 6- 1994, LOCAL LAW NO. 5-1995, LOCAL LAW NO. 8-1996 AND LOCAL LAW NO. 10-1997 ENTITLED "A LOCAL LAW PURSUANT TO 30-A AND 30-B OF THE NEW YORK STATE TAX LAW AMENDING THE CODES AND ORDINANCES OF THE CITY OF YONKERS BY A NEW ARTICLE IX IN RELATION TO THE IMPOSITION OF A CITY OF YONKERS INCOME TAX SURCHARGE AND A CITY OF YONKERS EARNING TAX ON NON-RESIDENTS" IN RELATION TO AMENDING SAID LOCAL LAW TO CONFORM WITH THE 2009 AMENDMENTS OF THE NEW YORK STATE TAX LAW AND SPECIFICALLY AMENDING SECTIONS 15-104 AND 15-111 OF THE CODE OF THE CITY OF YONKERS IN REGARD TO THE ESTIMATED TAX AND THE AMOUNT OF THE INCOME TAX SURCHARGE.

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

Section 1. Local Law No. 4, adopted on July 14, 2010 regarding the estimated tax imposed by the City of Yonkers, is hereby repealed.

Section 2. Section 15-104 of Article IX of Chapter 15 of the Code of the City of Yonkers entitled "Estimated tax" is hereby amended, in part, as follows:

"§15-104. Estimated tax.

Every City resident or individual required to make payments of New York State estimated tax under Article 22 of the New York State Tax Law shall make payments of Yonkers estimated tax in an amount equal to [10%] 15% of his New York State estimated tax payments, [in the same manner and subject to the same requirements, to the greatest extent possible as

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**LOCAL LAW NO.3-2011 (CONTINUED)**

provided in §§ 655 and 656 of the New York State Tax Law. No payment of estimated tax shall be required for taxable years beginning in 1984.]

Section 3. Section 15-111 of Article IX of Chapter 15 of the Codes and Ordinances of the City of Yonkers, entitled "Amount of surcharge", is hereby amended as follows:

"§ 15-111. Amount of surcharge.

The surcharge imposed by this article shall be at the rate of [10%] 15% of the net state tax as defined in section [15-90] 15-101 of this article. Further, in the event that the City of Yonkers is desirous of changing the amount of said income tax surcharge from the rate herein imposed, said change shall be effectuated by the adoption by the City Council of a special ordinance."

Section 4. This local law shall take effect as of January 1, 2011.

THIS LOCAL LAW WAS ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING HELD ON WEDNESDAY, FEBRUARY 23, 2011 BY A ROLL CALL VOTE OF 5-1. COUNCILMEMBER GRONOWSKI VOTING "NAY" COUNCILMEMBER SHEPHERD ABSENT.

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THIS SPECIAL COUNCIL MEETING WAS ADJOURNED AT 8:38PM