

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

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

TIME: 8:15 PM

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 24, 2011 and a Special Meeting convened on May 19, 2011 recessed and reconvened on June 1, 2011 approved on motion of Majority Leader Patricia McDow.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**INDEX**

<b><u>ITEM</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>PAGE</u></b>
1. LL 7-2011	LOCAL LAW – AMENDMENT VEHICLES AND TRAFFIC – CONTROL MONITORING DEVICES	7/8
2. RULES	GENERAL ORDINANCE – ZONE CHANGE 475 TUCKAHOE RD, 35 E GRASSY SPRAIN RD	9
3. SO 28-2011	SPECIAL ORDINANCE – GRANT AGREEMENT HISTORIC BUILDING INVENTORY SURVEY	10
4. R 84-2011	RES – IMA – WESTCHESTER COUNTY JFK MARINA, TREVOR PARK	11/12
5. R 85-2011	RES – COMMISSIONERS OF DEEDS	13/14
6. R 86-2011	RES – BANNER – UNTERMYER PERFORMING ARTS COUNCIL	15
6A R 87-2011	RES – HONARARIUM - OSSIE DAVIS AWARDS	16/17

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**RECEPTION OF PETITIONS**

PETITIONER: Alfred B. DelBello, Esq.  
On behalf of Morris Industrial Builders, L.P.

PROPERTY: Stew Leonard Drive  
Block 3244 – Lots 2,3,4,5,6 & 7

&

Block 3285 – Lot 210

ZONE CHANGE: 1) amend the PMD district regulations to reduce  
The required acreage of tracts eligible for  
Classification as PMD district from 80 acres to 70  
Acres:

2) To reclassify and re-designate the property from I  
District, IP district and CM district to PMD district.

**REFERRED TO PLANNING**

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**COMMUNICATIONS FROM CITY OFFICIALS**

1. FROM COUNCIL PRESIDENT LESNICK COPY OF THE DECISION FROM THE STATE PUBLIC SERVICE COMMISSION RELATING TO NEW YORK STATE'S ELECTRIC UTILITY TRANSMISSION RIGHT-OF-WAY MANGEMENT PRACTICES.

**FILED**

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**COMMUNICATIONS - GENERALLY**

1. LETTER FROM THE BUFFALO TOWN COUNCIL TO THE CITY COUNCIL RE: A RECENTLY PASSED LOCAL LAW THAT PROHIBITS NATURAL GAS DRILLING AND THE DISPOSITION OF NATURAL GAS EXPLORATION AND PRODUCTION WASTE WITHIN THE CITY OF BUFFALO.
  
2. LETTER DATED MAY 25, 2011 FROM O'CONNOR DAVIES MUNNS & DOBBINS, LLP TO THE CITY COUNCIL. RE: ANALYSIS AND REVIEW OF THE 2011/2012 BUDGET.

**FILED**

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**COMMITTEE OF THE WHOLE**

**NO SPEAKERS**

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**LOCAL LAW NO.7-2011**

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

A LOCAL LAW AMENDING CHAPTER 109 OF THE CODE OF THE CITY OF YONKERS ENTITLED "VEHICLES AND TRAFFIC" REQUIRING ADVANCE WARNING SIGNAGE NOTIFYING MOTORISTS THAT TRAFFIC CONTROL SIGNAL VIOLATION-MONITORING DEVICES ARE IN ACTIVE USE WITHIN THE CITY OF YONKERS.

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

Section 1. Chapter 109-45 of the Code of the City of Yonkers entitled "Vehicles and Traffic" is amended, in part, by adding hereto

Section 109-45 W entitled:  
"Advance Warning Signs".  
W. Advance Warning Signs

1. Advance Warning Signs notifying motorists that traffic control signal violation-monitoring devices are being utilized within the City of Yonkers must be identified by appropriate advance warning signs conspicuously posted at portals to the City in a manner approved by the City of Yonkers Traffic Engineering Department.

2. Pursuant to the New York State Vehicle and Traffic Law the City of Yonkers Traffic Engineering Department shall utilize sign R10-18 contained in the Federal Highway Administration's Manuel of Uniform Traffic Control Devices (MUTCD) as the Advance Warning Sign for placement in the City of Yonkers.

3. Pursuant to the MUTCD, the Advance Warning Sign, MUTCD sign R10-18 shall measure approximately 36" X 24" and shall read 'Traffic Laws Photo Enforced and appear as follows:

4. Advance Warning Signs shall be in place as soon as practicable at no less than the following locations selected by the City of Yonkers Traffic Engineering Department:

The North Border with the Town of Greenburgh at:  
Warburton Avenue  
North Broadway

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**LOCAL LAW NO.7-2011 (CONTINUED)**

Nepperhan Avenue at Executive Boulevard  
Executive Boulevard at the Saw Mill River Parkway  
East Grassy Sprain Road  
Fort Hill Avenue  
Central Park Avenue  
Scarsdale Road  
The East Border with the Town of Eastchester and the City of Mount  
Vernon at:  
Strathmore Road  
Scarsdale Road  
Pondfield Road  
Palmer Road  
Tuckahoe Road  
Midland Avenue  
Yonkers Avenue  
Broad Street  
Wakefield Avenue  
Mclean Avenue  
The South Border with the City of New York at:  
Bronx River Road  
Kimball Avenue  
Central Park Avenue  
South Broadway  
Riverdale Avenue

5. This Local Law shall take effect immediately.

THIS LOCAL LAW WAS ADOPTED BY THE CITY COUNCIL AT A  
STATED MEETING HELD ON TUESDAY, JUNE 14, 2011 BY A VOTE  
OF 7-0.



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**GENERAL ORDINANCE**

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

A GENERAL ORDINANCE AMENDING GENERAL ORDINANCE NO.24-1968 AS READOPTED, CONFIRMED, REENACTED AND REAFFIRMED BY GENERAL ORDINANCE NO. 39-1970 (COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF YONKERS) AND THE ZONING MAP BY CORRECTING SAID MAP BY CHANGING THE ZONE CLASSIFICATION OF LOTS 1, 20 AND 50 IN BLOCK 4032 ALSO KNOWN AS 475 TUCKAHOE ROAD, 35 EAST GRASSY SPRAIN ROAD AND 55 EAST GRASSY SPRAIN ROAD RESPECTIVELY, FROM ITS RESPECTIVE PRESENT "C", AND "CM" ZONE DISTRICT CLASSIFICATIONS INTO A "BR" ZONE DISTRICT CLASSIFICATION.

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

Section 1. General Ordinance No. 24-1968 as readopted, confirmed, reenacted and reaffirmed by General Ordinance No. 39-1970, commonly known as the Zoning Ordinance of the City of Yonkers and the zoning map, by changing the zone district classification of Block 4032, Lots 1, 20 and 50 as shown and designated on the Official Tax Map of the City of Yonkers, said property also known as 475 Tuckahoe Road, 35 East Grassy Sprain Road and 55 East Grassy Sprain Road, Yonkers, N.Y, from its present "C" and "CM" zone district classification to an "BR" zone district classification.

Section 2. This ordinance shall take effect immediately.

THE ABOVE LEGISLATION WAS REFERRED TO THE RULES COMMITTEE

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**SPECIAL ORDINANCE NO.28-2011**

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

A SPECIAL ORDINANCE AMENDING THE CITY OF YONKERS GRANT BUDGET FOR FISCAL YEAR 2010/2011.

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 Planning and Development Department for a grant from the Preservation League of N.Y.S to assist in the citywide historic building inventory survey.

**Increase Estimated Revenues**

Preservation League of N.Y.S.      049-G05-8902-3210      \$4,000

**Increase Appropriation**

Development – Professional Fees    049-G05-8902-0413    \$4,000

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 TUESDAY, JUNE 14, 2011 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**RESOLUTION NO.84-2011**

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

RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF YONKERS AND THE COUNTY OF WESTCHESTER FOR IMPROVEMENTS TO BE MADE AT JFK MARINA, TREVOR PARK, JFK MEMORIAL DRIVE AND WARBURTON AVENUE.

WHEREAS, in accordance with an agreement between the County of Westchester and the City of Yonkers, pursuant to Section 244-b of the General Municipal Law, the County of Westchester has been assisting the City of Yonkers in making needed improvements to the JFK Marina, Trevor Park, JFK Memorial Drive and Warburton Avenue consisting of two phases (1) the design and permitting of an amphitheater, parking structure, improvements to JFK Memorial Drive; and (2) the construction of said amphitheater, parking structure and road improvements to JFK Memorial Drive (the "JFK Project") as well as the construction of a portion of the County's River Walk trailway; and

WHEREAS, the original agreement, provided that the City of Yonkers would provide all labor, materials and equipment to design the JFK Project while the County of Westchester would provide funding in an amount not to exceed \$800,000 for the preparation of the design plans and specifications for the JFK Project as specified in the agreement, and such other terms and conditions as contained therein; and

WHEREAS, Westchester County has now agreed to the appropriation for the JFK Project not to exceed in total \$7,500,000 and to take over the construction of the RiverWalk Project from the City of Yonkers and to execute a lease to grant the County the right to use and occupy the property, in accordance with the terms of the amended agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the amendment of the agreement between the County of Westchester and the City of Yonkers for the improvements to be made to the JFK Marina, Trevor Park, JFK Memorial Drive and Warburton Avenue, as contained in the attached amendment to the agreement is hereby approved; and be it further

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**RESOLUTION NO.84-2011**

RESOLVED, that this resolution will take effect April 1, 2011.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 14, 2011 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**RESOLUTION NO.85-2011**

5. BY: COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW,  
MINORITY LEADER MURTAGH, COUNCILMEMBERS GRONOWSKI  
TERRERO, 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, 2013.

Mariella Garcia  
243 S. Broadway  
Yonkers, New York 10705

Travel Agency

NEW

Sara Monaco  
538 Riverdale Avenue  
Yonkers, New York 10705

Law Office

RENEWAL

Justin Tubiolo  
25 Churchill Ave  
Yonkers, New York 10704

Investment

RENEWAL

David Tubiolo  
25 Churchill Ave  
Yonkers, New York 10704

Westchester County

RENEWAL

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**RESOLUTION NO.85-2011 (CONTINUED)**

Maria Bellino  
24 College Place  
Yonkers, New York 10704

Yonkers Schools

RENEWAL

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A  
STATED MEETING HELD ON TUESDAY, JUNE 14, 2011 BY A VOTE  
OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**RESOLUTION NO.86-2011**

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

WHEREAS, the Untermeyer Performing Arts Council, will be holding their "Untermeyer on Broadway 2011-WorldFest" celebrating their 35th anniversary, which will run from the last week in June, to end on September 3, 2011, and has requested permission from the City Council to place banners throughout the City promoting the event, and

WHEREAS, Untermeyer Performing Arts Council has asked that they be permitted to place five (5) banners at the following locations: (1) on the Sadore Lane foot-bridge, Central Park Avenue; (2) the City Hall foot-bridge, Nepperhan Avenue; (3) across Yonkers Ave. & Midland Ave. (near Planet Fitness); (4) the area of North Broadway and DeHaven Drive (in front of Untermeyer Park);and (5) North Broadway & Executive Blvd. in front of the Foxfire School, on or around June 17, 2011 and to be removed as soon after September 3, 2011 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 Untermeyer Performing Arts Council to place five 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, JUNE 14, 2011 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**RESOLUTION NO.87-2011**

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

TO REQUEST PERMISSION TO PRESENT AWARDS TO DESERVING  
MEN IN THE COMMUNITY IN HONOR OF OSSIE DAVIS AND IN  
RECOGNITION OF FATHER'S DAY.

WHEREAS, In honor of Ossie Davis and in recognition of Father's  
Day, Majority Leader Patricia D. McDow will host an Award Ceremony to  
acknowledge those men who have extended themselves past themselves,  
their families and professions; and

WHEREAS, the honorees have chosen professions that also give  
them the opportunity and expertise to use within the community to  
exemplify love and kindness to their neighbors and/or strangers for no  
other reason but to create positive change for others and the community  
and

WHEREAS, these individuals represent the blueprint for the next  
generation of men, fathers, brothers, uncles, boys, mentors and  
trailblazers of our community and they should be respected by all; and

WHEREAS, Ossie Davis was born in 1917 and departed us in  
2005, he was an African-American actor, writer, producer, director, but  
even more a "GIANT of Civil Rights" not afraid of the consequences  
associated with speaking out and up for equality. A dedicated husband  
and father, as well as, a major supporter of cultural, creative, charitable,  
political, and social projects for over 50 years; a distinguished man with  
a voice that demanded your attention, educated and a war veteran and he  
will forever be remembered and appreciated for his contributions to  
mankind; and

WHEREAS, we appreciate the unsung heroes of our community  
who have also personified faith, courage, strength, kindness, commitment,  
passion and unconditional love for others.



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**RESOLUTION NO.87-2011**

NOW THEREFORE BE IT RESOLVED, that the City Council of Yonkers, hereby commends and congratulate these individuals for their perseverance and significant contributions as men of our community, in honor of Ossie Davis and in recognition of Father's Day, June 19, 2011.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 14, 2011 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, JUNE 14, 2011**

**COMMITTEE REPORTS**

THIS MEETING WAS ADJOURNED AT 8:46PM