

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, MAY 24, 2011**

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

TIME: 8:47PM

PRESENT:           PRESIDENT OF THE COUNCIL  
                          CHUCK LESNICK

DISTRICT:

          1           MAJORITY LEADER PATRICIA D. McDOW - ABSENT  
          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 10, 2011 approved on motion of Majority Leader Patricia McDow.

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**ANNOTATED AGENDA**  
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**RECEPTION OF PETITIONS**

PETITIONER: Mark P. Weingarten, Esq.  
On behalf of P.J. Herman LLC

PROPERTY: 10 Hermann Place  
Section 4 – Block 4001 – Lot 175

ZONE CHANGE: To an "I" Zone to permit medical uses and a retail  
pharmacy

And

PETITIONER: City of Yonkers by their Planning Department

PROPERTY: City of Yonkers Downtown area

ZONE CHANGE: Proposed Amendments to the zoning code pertaining  
to the creation of a new article and establishing  
regulations for the rezoning of the City's downtown  
area

**REFERRED TO PLANING**

**ANNOTATED AGENDA**  
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**COMMUNICATIONS FROM CITY OFFICIALS**

MEMO TO COUNCIL PRESIDENT DATED MAY 17, 2011 FROM THE PLANNING BUREAU. RE: A REFFERAL FROM THE YONKERS CITY COUNCIL REGARDING A PROPOSED ZONE CHANGE FROM A "C" TO A "BR" ZONE AT BLOCK:4032 LOT: 50 ON THE PROPERTY KNOWN AS 55 EAST GRASSY SPRAIN ROAD; A ZONE CHANGE FROM A "CM" TO A "BR" ZONE AT BLOCK: 4032 LOT: 20 ON THE PROPERTY KNOWN AS 35 EAST GRASSY SPRAIN ROAD AND A ZONE CHANGE FROM A "CM" TO A "BR" ZONE AT BLOCK: 4032 LOT: 1 ON THE PROPERTY KNOWN AS 475 TUCKAHOE ROAD PURSUANT TO ARTICLE XIII OF THE YONKERS ZONING ORDINANCE.

THE PLANNING BOARD VOTED 5-0, AT ITS MEETING OF MAY 11, 2011, TO SEND A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL ON THE PROPOSED ZONING AMENDMENT

**FILED**

**ANNOTATED AGENDA**  
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**COMMUNICATIONS - GENERALLY**

FROM THE VILLAGE CLERK OF HASTINGS-ON-HUDSON: THE MAYOR AND BOARD OF TRUSTEES HERBY SCHEDULE THE FOLLOWING PUBLIC HEARINGS AT THE JAMES HARMON COMMUNITY CENTER, 44 MAIN STREET, HASTINGS-ON-HUDSON, NY AT 7:00PM.

TUESDAY, MAY 24, 2011 TO CONSIDER THE ADVISABILITY OF ADOPTING THE PROPOSED COMPREHENSIVE PLAN.

&

THURSDAY, JUNE 9, 2011 TO UNDERTAKE REVIEW OF THE PROPOSED COMPREHENSIVE PLAN UNDER THE NEW YORK STATE ENVIRONMENTAL QUALITY ACT.

**FILED**

**ANNOTATED AGENDA**  
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**COMMITTEE OF THE WHOLE**

**SPEAKERS**

<b><u>NAME:</u></b>	<b><u>ADDRESS</u></b>	<b><u>ITEM NO.:</u></b>
1. GERRY EYAYENSON	407 PASSIAC ST.	1
2. JANE BLOOMER	27 SOUNDVIEW AVE	1

**ANNOTATED AGENDA**  
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**SPECIAL ORDINANCE NO.23-2011**

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

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES AT MULFORD GARDEN GRANT PARK HOUSING DEVELOPMENT AT WHELAN PLACE AND VINEYARD AVENUE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer, has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 410 linear feet, more or less and to install new electric and gas conduits and related services at Whelan Place and Vineyard Avenue, Yonkers, N.Y. in accordance with Drawing Number S09-10572-WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

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

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 410 feet, more or less, to install new electric and gas conduits and related services at Whelan Place and Vineyard Avenue, Yonkers, N.Y.

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**SPECIAL ORDINANCE NO.23-2011 (CONTINUED)**

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL  
AT A STATED MEETING HELD ON TUESDAY, MAY 24, 2011 BY A  
VOTE OF 6-0. MAJORITY LEADER McDOW ABSENT.



**ANNOTATED AGENDA**  
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**SPECIAL ORDINANCE NO.24-2011**

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

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES AT GLOVER AVENUE BETWEEN WAKEFIELD AVENUE AND CHURCHILL AVENUE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer, has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than one thousand and sixty linear feet, more or less and to install new gas main conduits and related services at Glover Avenue, between Wakefield Avenue and Churchill Avenue, Yonkers, N.Y. in accordance with Drawing Number Z10-15134-WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

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

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than one thousand and sixty linear feet, more or less and to install new gas main conduits and related services at Glover Avenue, between Wakefield Avenue and Churchill Avenue, Yonkers, N.Y.

**ANNOTATED AGENDA**  
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**SPECIAL ORDINANCE NO.24-2011 (CONTINUED)**

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL  
AT A STATED MEETING HELD ON TUESDAY, MAY 24, 2011 BY A  
VOTE OF 6-0. MAJORITY LEADER McDOW ABSENT.

**ANNOTATED AGENDA**  
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**SPECIAL ORDINANCE NO.25-2011**

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

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES AT SAW MILL RIVER ROAD AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer, has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 145 linear feet, more or less and to install new gas main conduits and related services at Saw Mill River Road, between Agar Street and Worth Street, Yonkers, N.Y. in accordance with Drawing Number Z10-9131-WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

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

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 145 linear feet, more or less and to install new gas main conduits and related services at Saw Mill River Road, between Agar Street and Worth Street, Yonkers, N.Y.

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**SPECIAL ORDINANCE NO.25-2011 (CONTINUED)**

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL  
AT A STATED MEETING HELD ON TUESDAY, MAY 24, 2011 BY A  
VOTE OF 6-0. MAJORITY LEADER McDOW ABSENT.

**ANNOTATED AGENDA**  
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**SPECIAL ORDINANCE NO.26-2011**

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

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES AT THE YONKERS AVENUE BRIDGE OVER THE SAW MILL RIVER PARKWAY, THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer, has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 475 linear feet to install a conduit to pick up steel ducts in order to allow Con Edison to excavate and install 475 linear feet of conduit to upgrade the electrical infrastructure at the Yonkers Avenue Bridge which runs over the Saw Mill River Parkway in Yonkers, N.Y. in accordance with Drawing Number F09-07121-001WCY R1; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

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

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 475 linear feet to install a conduit to pick up steel ducts in order to allow Con Edison to excavate and install 475 linear feet of conduit to upgrade the electrical infrastructure at the Yonkers Avenue Bridge which runs over the Saw Mill River Parkway in Yonkers, N.Y.

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**SPECIAL ORDINANCE NO.26-2011 (CONTINUED)**

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL  
AT A STATED MEETING HELD ON TUESDAY, MAY 24, 2011 BY A  
VOTE OF 6-0. MAJORITY LEADER McDOW ABSENT.

**ANNOTATED AGENDA**  
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**SPECIAL ORDINANCE NO.27-2011**

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

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES AT CROTON TERRACE BETWEEN WALNUT STREET AND SEYMOUR STREET, THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer, has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 350 linear feet and to install a new gas main and related services at Croton Terrace between Walnut Street and Seymour Street, Yonkers, N.Y. in accordance with Drawing Number Z09-6911-WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

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

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 350 linear feet and to install a new gas main and related services at Croton Terrace between Walnut Street and Seymour Street, Yonkers, N.Y.

**ANNOTATED AGENDA**  
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**SPECIAL ORDINANCE NO.27-2011 (CONTINUED)**

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL  
AT A STATED MEETING HELD ON TUESDAY, MAY 24, 2011 BY A  
VOTE OF 6-0. MAJORITY LEADER McDOW ABSENT.



**ANNOTATED AGENDA**  
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**SPECIAL ORDINANCE**

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

A SPECIAL ORDINANCE DISCONTINUING A PORTION OF COLOMBE PLACE AS A PUBLIC STREET PURSUANT TO SECTION 29 OF THE GENERAL CITY LAW.

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

Section 1. That portion of Colombe Place, in the area running easterly from Central Park Avenue to its terminus is a paper street, as shown in the map attached hereto as Exhibit A. This paper street, hereinbefore described, is being discontinued and is shown on a map and the description is filed with the Planning Board of the City of Yonkers. Colombe Place is a public street in the City of Yonkers, and that portion hereof which is a paper street, is hereby discontinued as a public street and removed from the Official Map of the City of Yonkers, in its entirety pursuant to Section 29 of the General City Law subject to the following conditions;

(a) in the event that there are any utilities underneath Colombe Place, the City of Yonkers retains complete access to the aforementioned utilities.

Section 2. The affected City departments, bureaus and agencies shall amend the necessary City records, including the Official City Map accordingly.

Section 3. This Special Ordinance shall take effect as provided by law.

THE ABOVE LEGISLATION WAS REFERRED TO PLANNING

**ANNOTATED AGENDA**  
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**TUESDAY, MAY 24, 2011**

**RESOLUTION NO.80-2011**

6. BY: COUNCIL PRESIDENT LESNICK, 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.

Timothy Terry  
1511 Central Pk Ave  
Yonkers, New York 10710

MHA

RENEWAL

Christina Morales  
1511 Central Park Ave  
Yonkers, New York 10710

MHA

NEW

Paula Kubicek  
1511 Central Park Ave  
Yonkers, New York 10710

MHA

RENEWAL

Ebony Jefferson  
1511 Central Park Ave  
Yonkers, New York 10710

MHA

RENEWAL

**ANNOTATED AGENDA**  
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**RESOLUTION NO.80-2011 (CONTINUED)**

Lakisha Collins  
710 Warburton Ave  
Yonkers, New York 10701  
MHA

RENEWAL

Veronica Torres  
527 Riverdale Ave, 4K  
Yonkers, New York 10705

MHA

RENEWAL

Leona Torres  
538 Riverdale Avenue  
Yonkers, New York 10705

Law Firm

RENEWAL

Eric Arena  
101 Gavin Street  
Yonkers, New York 10701

Chamber of Commerce

NEW

Delfim Heusler  
35 Chase Avenue, 1-A  
Yonkers, New York 10703

Yonkers Insider

NEW

**ANNOTATED AGENDA**  
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**RESOLUTION NO.80-2011 (CONTINUED)**

Michael Rotanelli  
139 Windsor Terrace  
Yonkers, New York 10701

Transit Towing

NEW

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 24, 2011 BY A VOTE OF 6-0. MAJORITY LEADER McDOW ABSENT.

**ANNOTATED AGENDA**  
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**RESOLUTION NO.81-2011**

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

WHEREAS, Prophet Elias Greek Orthodox Church will celebrate their Annual Greek Festival on June 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> of 2011; and

WHEREAS, this three-day event will take place on the grounds of Prophet Elias Greek Orthodox Church, located at 15 Leroy Avenue; and

WHEREAS, the Prophet Elias Greek Orthodox Church has requested permission from the City Council to place promotional banners in the surrounding area; and

WHEREAS, the Prophet Elias Greek Orthodox Church has asked that they be permitted to place three (3) banners at the following locations on or before May 27<sup>th</sup>, and to be removed as soon after June 13<sup>th</sup> as is possible:

1. A single sided banner at Central Park Avenue and Tuckahoe Road Bridge
2. A double sided banner at Yonkers Avenue and Gold's Gym
3. A double sided banner at McLean Avenue and Central Park Avenue

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Yonkers hereby grants permission to the Prophet Elias Greek Orthodox Church 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 24, 2011 BY A VOTE OF 6-0. MAJORITY LEADER McDOW ABSENT.

**ANNOTATED AGENDA**  
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**RESOLUTION NO.82-2011**

8. BY: COUNCILMEMBER SHEPHERD, COUNCIL PRESIDENT LESNICK, 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 Carnival, Friday , June 3rd, 2011, and has requested permission from the City Council to place two 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 Northbound or other appropriate location, on or around May 25th, 2011 and to be removed as soon after June 4th, 2011 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 TUESDAY, MAY 24, 2011 BY A VOTE OF 6-0. MAJORITY LEADER McDOW ABSENT.

**ANNOTATED AGENDA**  
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**COMMITTEE REPORTS**

THIS MEETING WAS ADJOURNED AT 8:55PM