

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**THURSDAY, MAY 19, 2011**

TIME: 8:04PM

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

**A MEETING OF THE BUDGET COMMITTEE WILL BE HELD ON THURSDAY, MAY 19, 2011 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS TO DISCUSS THE ADOPTION AND PASSAGE OF STATE LEGISLATION AUTHORIZING THE CREATION OF A TRANSITIONAL FINANCING AUTHORITY FOR THE CITY OF YONKERS. THIS BUDGET COMMITTEE MEETING WILL BE FOLLOWED IMMEDIATELY BY A SPECIAL COUNCIL MEETING.**

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 THURSDAY, MAY 19, 2011 IN THE CITY COUNCIL CHAMBERS, FOURTH FLOOR, CITY HALL, YONKERS, NEW YORK AT 7:30 P.M. **OR IMMEDIATELY FOLLOWING THE BUDGET COMMITTEE MEETING** FOR THE FOLLOWING PURPOSE:

1. TO DISCUSS AND TAKE ACTION ON A RESOLUTION REQUESTING THE ADOPTION AND PASSAGE OF STATE LEGISLATION AUTHORIZING THE CREATION OF A TRANSITIONAL FINANCING AUTHORITY FOR THE CITY OF YONKERS.

COUNCIL PRESIDENT CHUCK LESNICK  
MAJORITY LEADER PATRICIA McDOW  
MINORITY LEADER JOHN MURTAGH  
COUNCILMEMBER WILSON TERRERO  
COUNCILMEMBER JOAN GRONOWSKI  
COUNCILMEMBER DENNIS SHEPHERD  
COUNCILMEMBER JOHN LARKIN

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**THURSDAY, MAY 19, 2011**

**INDEX**

<b><u>ITEM</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>PAGE</u></b>
1. R – 83-2011	RESO - STATE LEGISLATION AUTHORIZING THE CREATION OF A TRANSITIONAL FINANCING AUTHORITY FOR THE CITY OF YONKERS.	4/5
1A LL – 6-2011	LOCAL LAW - ESTABLISHING A LIMITATION ON OVERTIME PAY FOR MUNICIPAL PERSONNEL	6/7

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**THURSDAY, MAY 19, 2011**

THIS SPECIAL COUNCIL MEETING WAS CONVENED AT 8:04PM ON MAY 19, 2011 AND WAS RECESSED AT THE CALL OF THE CHAIR BY COUNCIL PRESIDENT LESNICK AT 8:05PM.

THIS MEETING WAS RECONVENED AT THE CALL OF THE CHAIR ON JUNE 1, 2011 AT 1:10 AM.



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**THURSDAY, MAY 19, 2011**

**COMMITTEE OF THE WHOLE**

**SPEAKERS**

<b><u>NAME:</u></b>	<b><u>ADDRESS</u></b>	<b><u>ITEM NO.:</u></b>
1. Barry McGoey	President Local 628	1A

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**THURSDAY, MAY 19, 2011**

**RESOLUTION NO.83-2011**

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

WHEREAS, the City of Yonkers believes that a financing mechanism should be made available to the City of Yonkers that can be the source of higher rated debt than the City's existing general obligation credit and provide a lower cost of capital to ensure that adequate funds are available to meet the needs of the City's capital program and the educational expenditures of the City School System; and

WHEREAS, the City of Yonkers' share of State Sales Tax revenue and Personal Income Tax Collection can support the financing of a portion of the City's capital needs; and

WHEREAS, with the exception of the City's 1% Special Sales Tax required to be deposited in the City's Debt Services Fund, holders of the City's Bonds and Notes have no constitutional or contractual prior claim on such taxes and are protected by the pledge of the City's faith and credit and unlimited debt service levy; and

WHEREAS, the City of Yonkers is of the opinion that a City of Yonkers Transitional Finance Authority ("Authority") should therefore be established to issue bonds to finance such capital projects and educational expenditures of the City School System and refinance the City's existing general obligation indebtedness; and

WHEREAS, the projected revenues of Sections 1261 and 1321 of the New York State Tax Law are expected to be sufficient to enable the Authority to satisfy its obligations; and

WHEREAS, the Authority shall be required to adhere to specific bonding provisions, reporting requirements, annual financial and management audit requirements, and such other requirements as are set forth in the enabling legislation; and



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**THURSDAY, MAY 19, 2011**

**RESOLUTION NO.83-2011 (CONTINUED)**

WHEREAS, the City of Yonkers is of the opinion that such legislation, a draft copy of which is attached hereto and made a part hereof, which will amend the Public Authorities Law, the Tax Law and the Finance Law of the State of New York to create the "City of Yonkers Transitional Finance Authority" should be introduced; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Yonkers hereby declares that such legislation to amend the Public Authorities Law, the Tax Law and the Finance Law of the State of New York to create the "City of Yonkers Transitional Finance Authority" is in the best interests of the City and is essential to improving the City's financial stability and independence and, therefore, requests the introduction of said legislation; and

BE IT FURTHER RESOLVED, that the City Council hereby authorizes and directs the City Clerk to forward a duly certified copy of this resolution (with attachment) to each member of the Yonkers Delegation, the Senate Majority Leader, the Speaker of the Assembly, and the State Comptroller.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A RECONVENED SPECIAL MEETING HELD ON WEDNESDAY, JUNE 1, 2011 BY A ROLL CALL VOTE OF 6-1. COUNCILMEMBER GRONOWSKI VOTING "NAY"

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**THURSDAY, MAY 19, 2011**

**LOCAL LAW NO.6-2011**

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

A LOCAL LAW ESTABLISHING A Limitation on Overtime Pay for Municipal Personnel

BE IT ENACTED by the City Council of the City of Yonkers:

1. Section 2 § 5-42 entitled Limitation on Overtime Pay of the City Code of Yonkers is amended as follows:

A. All of the compensation hereinabove stated for regularly scheduled overtime or emergency overtime shall not exceed the total compensation of two (2) times the employee's daily rate of pay.

B. Municipal Personnel

1. All of the compensation hereinabove stated for regularly scheduled overtime or emergency overtime for municipal personnel shall not exceed a total annual compensation of \$20,000 per person. In the event that a third party pays or reimburses the City for any such overtime pay the twenty thousand dollar (\$20,000) limit per twelve (12) month period shall not apply, however, this shall not be pension eligible, and the City shall keep records as to the source of funding for each activity and individual.

2. Municipal personnel may receive annual overtime compensation in excess of \$20,000 per person for regularly scheduled or emergency overtime provided that the department head shall certify to the Mayor as to the nature of each such emergency and the need for such work outside of the regularly scheduled hours, and provided further that the Mayor shall approve the payment of such additional compensation. The City Council shall receive quarterly reports detailing all cases that exceeded \$20,000 for the prior quarter.

3. Notwithstanding the provisions of this article, limitations on the amount of overtime pay shall not be applicable where a state of emergency exists or has been declared or in the event of an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man made causes, including, but not



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**THURSDAY, MAY 19, 2011**

**LOCAL LAW NO.6-2011 (CONTINUED)**

limited to fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, wind, storm, epidemic, air contamination, drought, infestation, explosion, radiological accident or water contamination.

4. This local law shall take effect with the enactment of the Fiscal Year 2012 budget.

THIS LOCAL LAW WAS ADOPTED BY THE CITY COUNCIL AT A RECONVENED SPECIAL MEETING HELD ON WEDNESDAY, JUNE 1, 2011 BY A VOTE OF 7-0.



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**SPECIAL MEETING**  
**THURSDAY, MAY 19, 2011**

**COMMITTEE REPORTS**

THIS MEETING WAS ADJOURNED AT 1:15AM