

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, OCTOBER 11, 2011**

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 September 27, 2011 approved on motion of Majority Leader Patricia McDow.

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**COMMUNICATIONS FROM CITY OFFICIALS**

**NONE**

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**COMMUNICATIONS – GENERALLY**

1. From Geraldine N. Tortorella, Esq., correspondence forwarding the amended Petition of FC Yonkers Associates LLC (Forest City Ratner Companies) for Dedication of Certain Streets known as Ridge Hill Boulevard, Ridge Hill Lane (formerly New Road) and Otis Drive located within and adjacent to the Ridge Hill Development and the Conveyance of Easements and Infrastructure with respect to the Ridge Hill Development.
  
2. From the Village Bronxville notice of a public hearing to be held on October 12, 2011 at 200 Pondfield Road Bronxville by the Bronxville Planning Board to consider an application for development filed by Midland Gardens.

**FILED**

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NO PROTEST WERE RECEIVED FROM ANY PROPERTY OWNERS  
WITHIN THE 200 FT RADIUS

**PUBLIC HEARING**

A PUBLIC HEARING ON A GENERAL ORDINANCE AMENDING  
SECTION 43-8 OF THE ZONING CODE OF THE CITY OF YONKERS IN  
REGARD TO DEFINITIONS AND USES CONCERNING MEDICAL  
ESTABLISHMENTS. (HERMANN PLACE)

**NO SPEAKERS**

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**PUBLIC HEARING**

A PUBLIC HEARING TO HONORARILY NAME A PORTION OF ELLIOT AVENUE BETWEEN RADFORD STREET AND MORRIS STREET AS LIEUTENANT COLONEL JOSEPH T. NADER WAY

**NO SPEAKERS**

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**OLD BUSINESS**

**GENERAL ORDINANCE NO.3-2011**

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

A GENERAL ORDINANCE AMENDING SECTION 43-8 OF THE ZONING CODE OF THE CITY OF YONKERS IN REGARD TO DEFINITIONS AND USES CONCERNING MEDICAL ESTABLISHMENTS.

The City of Yonkers, in City Council convened, does hereby ordain and enact:

Section 1. General Ordinance No.4 -2000 and the accompanying map, also known as Chapter 43 of the Code of the City of Yonkers, and more commonly known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by amending Section 43-8, entitled "Definition of terms", to read as follows:

"Section 43-8 of the Code of the City of Yonkers entitled "Definition of terms" is hereby amended in part, by the deletion of the terms "Medical or Dental Offices" and "Medical or Dental Clinic.

Section 43-8 of the Code of the City of Yonkers entitled "Definition of terms" is hereby further amended, by the addition of the following new term to be placed in alphabetical order within the section:

MEDICAL ESTABLISHMENT – A place where medical care is provided to persons solely on an out patient basis by one or more members of the medical professions including chiropractors, dentists, doctors, osteopaths, podiatrists, therapists or other licensed medical service providers. Medical establishments may, subject to any applicable State or Federal regulatory requirements, also include but are not limited to, medical testing labs or offices, offices for X-ray, sonograms, MRI, CAT scans and other medical imaging services, offices for the administration of nuclear medicine, radiation therapy, infusion, dialysis and similar medical treatments, and offices for out-patient surgical and non surgical procedures. Medical establishments shall not mean Hospitals, Nursing Homes, residential Health Care Facility or any other in-patient facility. "

Section 2. General Ordinance No.4 -2000 and the accompanying map, also known as Chapter 43 of the Code of the City of Yonkers, and

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GENERAL ORDINANCE NO.3-2011 (CONTINUED)

more commonly known as the Zoning Code of the City of Yonkers, is hereby amended, in part, to by amending Section 43-1 entitled "Schedule of Use Regulations" by deleting the terms "Medical Clinics" and "Medical and Dental Offices" and replacing both terms with the new term "Medical Establishment" to read as follows:

"Public and Institutional Uses

OL BR B BA CB DW GC C CM IP I PMD

Medical Establishment     P   P   P   P   P   P   P   P   P   P   P   P

Businesses, Commercial and Office Uses

OL BR B BA CB DW GC C CM IP I PMD

Medical Establishments     P   P   P   P   P   P   P   P   P   P   P   P

Section 3. General Ordinance No.4 -2000 and the accompanying map, also known as Chapter 43 of the Code of the City of Yonkers, and more commonly known as the Zoning Code of the City of Yonkers, is hereby amended, in part, to by amending Section 43-4 entitled "Schedule of Parking Requirements" by deleting the terms "Medical Clinics" and "Medical and Dental Offices" and replacing both terms with the new term "Medical Establishment" to read as follows:

"Schedule of Parking Requirements

Use	Minimum Number of Spaces
Public and Institutional Uses	
<u>Medical Establishments</u>	<u>1 per 300 square feet of gross floor area.</u>
Business, Commercial and Offices Uses	
<u>Medical Establishments</u>	<u>1 per 200 square feet of gross floor area."</u>

Section 4. General Ordinance No.4 -2000 and the accompanying map, also known as Chapter 43 of the Code of the City of Yonkers, and more



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GENERAL ORDINANCE NO.3-2011 (CONTINUED)

commonly known as the Zoning Code of the City of Yonkers, is hereby amended, in part, to by amending Section 43-5 entitled "Schedule of Loading Space Requirement" by adding the term "Medical Establishment" to read as follows:

"Schedule of Loading Space Requirement

Use	Minimum Number of Spaces
Offices (All Types)	
<u>Medical Establishments</u>	<u>For offices over 50,000 square feet of gross floor area: 1, plus 1 per 100,000 square feet of gross floor area thereafter."</u>

Section 5. General Ordinance No.4 -2000 and the accompanying map, also known as Chapter 43 of the Code of the City of Yonkers, and more commonly known as the Zoning Code of the City of Yonkers, is hereby amended, in part, to by amending Section 43-43-P entitled "Retail uses in conjunction with Offices" to read as follows:

- "P. Retail uses in conjunction with offices.
- (1) In permitted office buildings, or office/warehouse establishments, the following accessory retail uses shall be permitted subject to the limitations set forth herein: banks, barber or beauty shops, book stores, cafeterias, candy shops, convenience stores, day care centers, florists, gift stores, gym or health clubs, pharmacies, stationery stores and newspaper and magazine stores and such other uses which may be similar to the above listed uses, at the discretion of the approving agency.
  - (2) Such a retail use shall be located on a ground floor and have no direct access to the exterior, and no form of advertising or signage visible from the exterior.
  - (3) The use of such retail facilities shall be primarily for the employees of the office building and their guests, not for the public at large.
  - (4) Such retail facilities shall be conducted on days and during the hours at which the office building is open to the general public."

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GENERAL ORDINANCE NO.3-2011 (CONTINUED)

Section 6. General Ordinance No.4 -2000 and the accompanying map, also known as Chapter 43 of the Code of the City of Yonkers, and more commonly known as the Zoning Code of the City of Yonkers, is hereby amended, in part, to by deleting Section 43-73-G, entitled "Medical Clinics."

Section 7. General Ordinance No.4 -2000 and the accompanying map, also known as Chapter 43 of the Code of the City of Yonkers, and more commonly known as the Zoning Code of the City of Yonkers, is hereby amended, in part, to by amending Section 43-74-D (5), entitled "Planned Executive Parks " to read as follows:

"Section 43-74. Planned Executive Parks.

- (5) The following principal uses shall be permitted in a planned executive park:
  - (a) Offices, banks and financial institutions.
  - (a.1) Medical Establishments....."

Section 8. This Ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 7-0.

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**RESOLUTION NO.123-2011**

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

WHEREAS, JOSEPH T. NADER was a well accomplished veteran that served our country and the City of Yonkers.

WHEREAS, JOSEPH T. NADER, Born in Yonkers, New York, resident of Yonkers since birth with the exception of years spent in Military Service in World War II and Korean conflict. Graduate of St. Joseph's Parochial School and Saunders Trade School. Enlisted in New York National Guard, 27th Division Signal Company on October 1, 1935. The 27th signal Company at that time was located in the State Armory, 127 North Broadway, Yonkers, New York. Entered on active duty, U.S. Army upon Federal Activation of the 27th Signal Company, October 1940. Served with the Signal Company during its stateside duty and when it left for the Pacific Theatre of War. Returned to United States to enter Officer Candidate School. Commissioned as 2nd Lt. Signal Corps up graduation. Upon being commissioned left continental United States for the Middle East Theatre of Operations. Performed as a Communications Officer, Platoon Officer, and Company Commander of a Signal Company, during World War II in Africa, Libyan Campaign and in Europe in the Italian Campaign Discharged with rank of Captain on February 12, 1946.

WHEREAS, In September 1, 1949, he was appointed to the Yonkers Police Department. He served with the Police Department since that date and has attained the rank of Lieutenant in the Department.

WHEREAS, He was member of Post 1666 V.F.W. and was a delegate from that post to the Central Committee of War Veterans, Yonkers, New York. As well as an active member of the 27<sup>th</sup> Infantry Division Association, Reserve Officers Association, International Police Association, Captains, Lieutenants, and Sergeants Association.

WHEREAS, JOSEPH T. NADER was a part of many community service organizations. He was cited for his efforts in Heart Fund Drives. Member of Yonkers City Post 1666 V.F.W. since 1945. Life Member Veterans of Foreign Wars – Post Commander – 3 Terms. Chairman of Central Committee of War Veterans Organization - Yonkers 1975-1976. Chairman Memorial Day Committee & Veterans Day Ceremonies. Chaired Committee to save National Guard Armory – Yonkers. National

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**RESOLUTION NO.123-2011 (CONTINUED)**

Commander 27th Infantry Division 1976-1977. President New York Police & Fire Retirees for 8 years. Chairman of Yonkers Central Committee for 1 year with the assistance of Marine Col. Duggan in establishing a Veterans Day Ceremony to honor all veterans at the Lenoir Estates to honor the woman who served in the Armed Forces WWII in displaying the painted pictures of each of the women who served. Trevor Park Museum has control of the pictures.

WHEREAS, In addition he helped set up a program at Lincoln High School to honor the men who served in Desert Storm. Served on committee for the City of Yonkers honoring all WWII veterans by direction of Mayor Zeleski. Have appeared at West Point to speak to the Cadets about our military experience. Also appeared in several Yonkers Schools to speak to the children. Served on the Color it Proud Committee. Helped in decorating the graves on Memorial Day in the month of May. Also with comrade Joe Roma acquired from the Army of the Republic Flag holders to locate all civil war veterans buried in the City of Yonkers to continue their identity. Member of the South Hudson Veterans Coalition. Belong to all veterans Association in Yonkers, DAV – VFW – AL. Chaired a small veteran committee to prevent city manager Scher from closing the Yonkers Veterans Service Agency. And was a member of Gold Star Mothers Monument.

WHEREAS, JOSEPH T. NADER was awarded many Plaques, Citations from State, City and County officials. Received the Americanism Award and Veteran of the Year Westchester County 1946-1947 Housing Committee Chairman for better housing built in Yonkers by the Mayor at that time as the Veteran Housing City Chairman. Help in the Parades until present time 2007 excluding the years of recall to Service after WWII and Korean Conflict. Chaired the Committee with Aide Congressman Pieser in order to get a New Armory built in Yonkers when the old Armory was to be closed. Westchester County Chairman Veterans Committee to establish and have a State to build a Veterans Nursing Home. Took part in many Ground Breaking Ceremonies. Chaired the Veterans Committee to have a VA client established in Yonkers.

WHEREAS, JOSEPH T. NADER died on July 15, 2010 at Brookhaven, New York.

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**RESOLUTION NO.123-2011 (CONTINUED)**

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Yonkers is to hold a public hearing on the matter of honorary renaming a portion of Elliot Ave, between Radford Street and Morris Street, as LIEUTENANT COLONEL JOSEPH T. NADER WAY.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 7-0.

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**NEW BUSINESS**

**SPECIAL ORDINANCE NO.45-2011**

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

ORDINANCE OF THE CITY OF YONKERS, NEW YORK, ADOPTED OCTOBER 11, 2011 DETERMINING THE TERMS, FORM AND DETAILS OF ISSUANCE OF \$85,575,000 GENERAL OBLIGATION SERIAL BONDS-2011A AND \$12,555,000 SCHOOL SERIAL BONDS-2011B OF THE CITY, DIRECTING THEIR PRIVATE SALE, AND PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SAID BONDS AND OTHER OBLIGATIONS OF THE CITY.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 5-2. MAJORITY LEADER McDOW AND COUNCILMEMBER GRONOWSKI VOTING "NAY".

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**SPECIAL ORDINANCE NO.46-2011**

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

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES AT FORTFIELD AVENUE BETWEEN GAVIN STREET AND JESSAMINE 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 600 linear feet and no more than 650 linear feet and to install a new gas main and related services at Fortfield Avenue between Gavin Street and Jessamine Avenue, Yonkers, N.Y. in accordance with Drawing Number G10-14072WCY PT1 & PT2 ; 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 600 linear feet and no more than 650 linear feet to install a new gas main and related services at Fortfield Avenue between Gavin Street and Jessamine Avenue, Yonkers, N.Y.

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**SPECIAL ORDINANCE NO.46-2011 (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, OCTOBER 11, 2011 BY  
A VOTE OF 7-0.



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**RESOLUTION NO.124-2011**

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

RESOLUTION OF THE CITY COUNCIL AMENDING RESOLUTION 35/2010 TO THE EXTENT OF REMOVING THE FORMER SCHOOL 6 SITE (KNOWN AND IDENTIFIED ON THE OFFICIAL TAX MAP AS SBL 2 -2094 -4 ) FROM THE PROPOSED REDEVELOPMENT OF COTTAGE PLACE GARDENS AND CONVEYING THE FORMER SCHOOL 6 SITE TO MUNICIPAL HOUSING AUTHORITY OF THE CITY OF YONKERS ("MHACY") FOR REDEVELOPMENT AS MIXED INCOME HOUSING

WHEREAS, on March 9, 2010, the City Council adopted Resolution 35/2010 authorizing The Community Builders, Inc., among other things, to include "P.S. 6", the former School 6 site as part of an application to the Yonkers Planning Board for Planned Urban Redevelopment approval and Site Plan approval as part of the Cottage Place Gardens redevelopment project; and

WHEREAS, in 2009, The Community Builders, Inc., was selected by the Municipal Housing Authority of the City of Yonkers ("MHACY") and the City of Yonkers as the redeveloper of the municipal housing development commonly known as Cottage Place Gardens; and

WHEREAS, it was intended by MHACY and The Community Builders, Inc., that the Cottage Place Gardens redevelopment project be financed with funds from HUD under the HOPE VI program; and

WHEREAS, funds are no longer available under the HOPE VI program thereby rendering the Cottage Place Gardens redevelopment infeasible at this time; and

WHEREAS, the City and MHACY have recognized the need for additional mixed-income housing in the area of the School 6 site, especially for the relocation of former residents of Mulford Gardens; and

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**RESOLUTION NO.124-2011 (CONTINUED)**

WHEREAS, MHACY now seeks to redevelop the School 6 site with two (2) new buildings containing multi-family housing with one building intended to be five (5) stories containing fifty (50) one-bedroom "mixed income units" to be set aside exclusively for senior citizens and the Second building will be nine (9) stories containing seventy (70) mixed-income units for families; and

WHEREAS, MHACY has applied for grant funding for this redevelopment project; and

WHEREAS, pursuant to Section 124 of the Public Housing Law, the City is empowered to grant, convey or lease the School 6 site to MHACY in furtherance of this proposed redevelopment project without appraisal, public notice, advertisement or public bidding; and

WHEREAS, the School 6 site is no longer needed for use as a public school facility and it is in the best interests of the City to convey to MHACY, the subject site for redevelopment as housing accommodations.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 35/2010 adopted by the City Council on March 9, 2010 be amended to the extent that the City hereby determines that the School 6 site is no longer required by the City for use as a public school facility and it is in the best interests of the City to convey this former school site to MHACY for redevelopment as a project as that term is understood pursuant to the Public Housing Law for mixed-income housing to meet a demonstrated need for such housing in the vicinity of the School 6 site particularly for relocation of former residents of Mulford Gardens; and be it

FURTHER RESOLVED, that the Mayor or his designee be and the same is hereby authorized to execute any and all documents necessary to effect the conveyance to MHACY, and all said documents shall be subject to approval by the Corporation Counsel; and be it

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**RESOLUTION NO.124-2011 (CONTINUED)**

FURTHER RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 7-0.

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**RESOLUTION NO.125-2011**

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

RESOLUTION OF THE CITY COUNCIL APPROVING THE PUBLICATION OF THE NOTICE OF COMPLETION OF THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT IN REGARD TO THE CREATION OF A NEW ARTICLE AND ESTABLISHING NEW REGULATIONS FOR THE REZONING OF THE CITY'S DOWNTOWN

WHEREAS, the proposed zoning changes to the Downtown Area by amendments of the Zoning Code of the City of Yonkers are anticipated to promote economic development in these areas of the City, as well as other areas, and to improve the living and working conditions of many residents of the areas; and

WHEREAS, the proposed rezoning affects approximately 150 acres of downtown Yonkers centered around Getty Square, the traditional central business district of the City; and

WHEREAS, the proposed Downtown Rezoning Area is bound by Ashburton Avenue (NYS Route 9A) to the north and the Metro-North railroad tracks to the west. To the south, the Downtown Rezoning Area extends past Vark Street and slightly past Highland Avenue. The intersection of Nepperhan Avenue and Columbus Place represents the most eastern point of the Downtown Rezoning Area; and

WHEREAS, the proposed action will increase the density of certain parcels within the downtown and may have impacts upon existing buildings and sites in the downtown; and

WHEREAS, the proposed action meets the threshold contained in Section 617.4 (6 NYCRR Section 617) of the SEQRA regulations to classify the "Project" described herein as a Type 1 action, and said regulations further require the preparation of a Draft Generic Environmental Impact Statement (DGEIS) in compliance with SEQRA; and

WHEREAS, on or about June 28, 2011, the City Council stated its intent to refer the Project to the Planning Board and directed the Planning Department to prepare the DGEIS; and

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**RESOLUTION NO.125-2011 (CONTINUED)**

WHEREAS, on June 28, 2011, by a vote of 6-0 the City Council passed Resolution No. 102-2011 declaring itself Lead Agency on the Project described herein; and

WHEREAS, more than thirty (30) days have elapsed since passage of the resolution declaring Lead Agency, and no agency has objected to the City Council being designated Lead Agency; and

WHEREAS, on or about September 16, 2011, the City Council received the abovementioned Draft Generic Environmental Impact Statement for Downtown Yonkers Rezoning which had been prepared in accordance with Article 8 of the New York State Environmental Conservation Law.

NOW, THEREFORE BE IT RESOLVED, that the City Council deems the Draft Generic Environmental Impact Statement for the Downtown Yonkers Rezoning to be adequate in both scope and content for public review; and,

BE IT FURTHER RESOLVED, that the City Council directs the City Clerk: (1) to publish the required SEQRA notice; (2) schedule the SEQRA public hearing for November 1, 2011 in the Council Chambers; and

BE IT FURTHER RESOLVED, that the City Council requests the continued assistance of the Department of Planning and Development to circulate the DGEIS, to publish the required SEQRA notices and to act as the contact entity for the acceptance of comments to the DGEIS; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 7-0.

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**RESOLUTION NO.126-2011**

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 DOLLARS AND 00/100 CENTS (\$1,000.00) of the claim entitled, "In the Matter of the Claim of THOMAS ROBINSON, (residing at 45 Dexter Road, Yonkers, New York 10710 ) against THE CITY OF YONKERS, Respondent", for property damage arising out of an accident alleging that his vehicle was struck and damaged by a City street sign which fell from a utility pole at the intersection of Dexter and Montrose Roads, 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 DOLLARS AND 00/100 CENTS (\$1,000.00) in favor of said claimant, Thomas Robinson, 45 Dexter Road, Yonkers, New York 10710.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, OCTOBER 11, 2011**

**RESOLUTION NO.127-2011**

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 DOLLARS AND 00/100 CENTS (\$1,000.00) of the claim entitled, "In the Matter of the Claim of GERTRUDE SANDER, (residing at 1 Finian Sullivan Drive, Yonkers, New York 10703 ) against THE CITY OF YONKERS, Respondent", for personal injury arising out of an accident alleging that she tripped and fell while walking on the sidewalk in front of 129 Lake Avenue, 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 DOLLARS AND 00/100 CENTS (\$1,000.00) in favor of said claimant and her attorney, John G. Carroll, Esq., 50 Lawrence Street, Tappan, New York 10983-2607.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, OCTOBER 11, 2011**

**RESOLUTION NO.128-2011**

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 ONE HUNDRED FIFTY-FIVE and 31/100 (\$1,155.31) of the action entitled ALLSTATE INS. CO. A/S/O MICHAEL ZANCHELLI, Plaintiff against City of Yonkers, as Defendant, for property damage resulting from an alleged accident when a City of Yonkers fire truck struck his car while parked on Read Avenue, Yonkers hereby is approved and the Comptroller of the City of Yonkers is directed to draw his warrant in the amount of ONE THOUSAND ONE HUNDRED FIFTY-FIVE and 31/100 (\$1,155.31) in favor of said plaintiff and its attorneys LAW OFFICES OF ROBERT G. MAZEAU.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 7-0.



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, OCTOBER 11, 2011**

**RESOLUTION NO.129-2011**

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 TWO THOUSAND, THREE HUNDRED SIXTY THREE DOLLARS and SIXTY SIX CENTS (\$2,363.66) of the action entitled, "James Leviness", residing at 27 St. Joseph Avenue, Yonkers, New York 10703, plaintiff, against THE CITY OF YONKERS, Defendant", for property damage arising out of an incident on August 8, 2011 in the City of Yonkers that caused damage to his vehicle due to a defective manhole cover on North Broadway in 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 TWO THOUSAND THREE HUNDRED SIXTY THREE DOLLARS and SIXTY SIX CENTS (\$2,363.66) in favor of said plaintiff.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, OCTOBER 11, 2011**

**RESOLUTION NO.130-2011**

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

WHEREAS, St. John's Episcopal Church, 100 Underhill Street in the northeast section of Yonkers will hold their Annual Fall Harvest Fair on Saturday, November 5th, 2011 from 10:00 am to 3:00 pm, and St. John's has requested permission from the City Council to hang a banner promoting this event informing the public as to the details involved with the Fair, and

WHEREAS, St. John's Episcopal Church has asked for permission to place the promotional banner on the Northbound overpass across Central Park Avenue at Tuckahoe Rd. or at the overpass near Sadore Lane as space permits from October 21<sup>st</sup> through November 5<sup>th</sup>, 2011; and to be removed as soon after November 5<sup>th</sup> as possible.

NOW, THEREFORE BE IT RESOLVED, the City Council of Yonkers hereby grants permission to St. John's Episcopal Church to place their banner at 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, OCTOBER 11, 2011 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, OCTOBER 11, 2011**

**RESOLUTION NO.131-2011**

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

WHEREAS, the City of Yonkers is truly blessed and proud of its many diverse community groups who play an integral leadership role in preserving and displaying the rich history of each community represented in our beautiful mosaic of communities; and

WHEREAS, foremost among these groups is the Yonkers Columbus Day Celebration Committee who leads the efforts each year to highlight the extensive achievements and contributions of the Italian-American Community; and

WHEREAS, each year the Yonkers Columbus Day Celebration Committee hosts a series of events beginning in September, and culminating with the Columbus Day Parade to commemorate its proud heritage with all the residents of Yonkers; and

WHEREAS, these special events provide opportunities for the Committee to bestow well-deserved honors upon outstanding members of the Italian-American community who have selflessly given of their time, expertise and resources to promote the welfare and advancement of not only the Italian American community but also that of our beloved Yonkers; and

WHEREAS, this year the Yonkers Columbus Day Celebration Committee under the Chairmanship of ROBERT FERRITO, has selected the following distinguished individuals as honorees for the 2011 Columbus Day festivities: JAMES VETRANO & ELI VETRANO- *Humanitarian Award Recipients*; REGINA COBELLI-*Hall of Fame Inductee*; GRAND LODGE OF NEW YORK ORDER SONS OF ITALY IN AMERICA as *Parade Grand Marshal* and DANA FATTERUSSO- *Miss Columbus 2011*; and

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, OCTOBER 11, 2011**

**RESOLUTION NO.131-2011(CONTINUED)**

NOW, THEREFORE, BE IT RESOLVED that the Members of the Yonkers City Council on behalf of all our residents offers its sincerest thanks to the officers of the Columbus Day Committee 2011 and to all members of the Yonkers Columbus Day Celebration Committee for their tremendous efforts given individually and collectively to make the Columbus Day festivities in Yonkers enjoyable and educational for everyone.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 11, 2011 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, OCTOBER 11, 2011**

**COMMITTEE REPORTS**

THIS MEETING WAS ADJOURNED AT 8:53PM