

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, SEPTEMBER 27, 2011

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

TIME: 8:05PM

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 - ABSENT

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 14, 2011 approved on motion of Majority Leader Patricia McDow.

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COMMUNICATIONS FROM CITY OFFICIALS

1. A LETTER FROM ROMAN KOZICKY OF THE PLANNING BOARD TO COUNCIL PRESIDENT LESNICK DATED JULY 18, 2011. RE: A SPECIAL USE PERMIT APPLICATION FOR 77 COLE ST. (RIDGE HILL) TO OPERATE BETWEEN THE HOURS OF MIDNIGHT AND 6:00AM. THE ABOVE WAS PASSED BY THE YONKERS PLANNING BOARD BY A VOTE OF 4-0.

2. A LETTER FROM PLANNING BOARD COMMISSIONER ROMAN KOZICKY TO COUNCIL PRESIDENT LESNICK. RE: PROPOSED PEP ZONING TEXT CHANGE. THE ABOVE WAS PASSED 4-0 BY THE PLANNING BOARD.

3. A LETTER FROM PLANNING BOARD COMMISSIONER ROMAN KOZICKY TO COUNCIL PRESIDENT LESNICK. RE: PROPOSED PMD ZONING TEXT CHANGE & AUSTIN AVE SITE ZONE CHANGE. THIS REOLUTION WAS PASSED 4-0 BY THE PLANNING BOARD.

FILED

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COMMUNICATIONS - GENERALLY

NONE

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COMMITTEE OF THE WHOLE

NO SPEAKERS

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OLD BUSINESS

GENERAL ORDINANCE

1. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, 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.

A PUBLIC HEARING WAS SET FOR OCTOBER 25, 2011

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NEW BUSINESS

RESOLUTION

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

RESOLUTION OF THE CITY COUNCIL REFERRING PROPOSED AMENDMENT TO THE ZONING CODE OF THE CITY OF YONKERS IN REGARD TO THE CREATION OF A NEW ARTICLE AND ESTABLISHING NEW REGULATIONS FOR THE CITY'S DOWNTOWN AREA PURSUANT TO SECTION 43-164 OF THE ZONING CODE OF THE CITY OF YONKERS

WHEREAS, the City Council of the City of Yonkers has received a proposed amendment to the Zoning Code of the City of Yonkers pertaining to the creation of a new Article and establishing regulations for the rezoning of the City's downtown area; and

WHEREAS, pursuant to Section 43-164(A) of the Zoning Code of the City of Yonkers, any proposed amendment submitted to the City Council must be referred to the Planning Board for a review and report; and

WHEREAS, pursuant to Section 43-164(B) of the Zoning Code of the City of Yonkers, the Planning Board must provide said report after completion of an environmental impact statement (EIS) pursuant to the State Environmental Quality Review Act (SEQRA) is prepared; and

WHEREAS, upon the completion of said review and report by the Planning Board, this City Council will make a determination on amending the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED, that the proposed amendment to the Zoning Code pertaining to the creation of a new Article and establishing regulations for the rezoning of the City's downtown area is hereby submitted to the Planning Board for a review and report; and,

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RESOLUTION (CONTINUED)

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

THE ABOVE RESOLUTION WAS REFERRED TO PLANNING DEPARTMENT

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RESOLUTION NO.120-2011

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

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 October 31, 2013.

Priscilla Henriquez
245 Bronx River Rd.
Yonkers, New York 10704

Law Office

NEW

John Adely
20 Dexter Rd
Yonkers, New York 10710

NY Thruway Authority

RENEWAL

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, SEPTEMBER 27, 2011 BY A VOTE OF 6-0. COUNCILMEMBER LARKIN ABSENT.

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RESOLUTION

4. BY COUNCILMEMBER TERRERO, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS 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 upon 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 27th 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 Commander 27th Infantry Division 1976-1977. President New York Police & Fire Retirees for 8 years. Chairman of Yonkers Central

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RESOLUTION (CONTINUED)

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.

WEHEREAS, 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 (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 T Nader Way.

A PUBLIC HEARING WAS SET FOR OCTOBER 11, 2011

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RESOLUTION NO.121-2011

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

WHEREAS, Our Lady of Fatima School, located at 963 Scarsdale Road in Yonkers will hold its Annual Carnival beginning on Thursday, October 20, 2011, through Sunday, October 23, 2011, and has requested permission from the City Council to place one banner in the area promoting this event, and

WHEREAS, Our Lady of Fatima School has asked that they be permitted to place one (1) banner at the location of Central Park Ave. & Sadore Lane, on the pedestrian over-pass (south-bound) or where ever convenient in that same area on Central Park Ave., on or around Oct. 5, 2011, and to be removed as soon after October 23, 2011 as is possible.

WHEREAS, said location/s are subject to the scheduling and availability of the banner site/s 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 Our Lady of Fatima School to place one banner 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.

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RESOLUTION NO.122-2011

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

Whereas, In recognition of the 60th Anniversary of the Korean War, the Republic of South Korean Consul General Young-Mok Kim along with other officials has been on a mission of recognition to salute America's Korean War Veterans who risked their lives in service to the people of South Korea, and

Whereas from June 25th 1950 through July 27th 1953 the United States of America answered a call to duty under the auspices of the United Nations in an effort to uphold the division between North Korea and South Korea along the 38th parallel, a situation that escalated into open warfare when North Korean forces invaded South Korea and over the ensuing years resulted in tremendous casualties to the American forces with 54,236 dead, 103,000 wounded and 51% dying in Prison Camps, and

Whereas in recognition of the extreme sacrifices put forth by the United States military on behalf of the people of South Korea, General Young-Mok Kim, Counsel General of the Republic of Korea, and Chairman of the Korean Veterans Association, General (Ret) Se-Hwan Park have been recognizing America's Korean War Veterans from the 20 Korean War Veterans Posts in New York State, and

Whereas on March 26th, 2011 the members of Yonkers own Korean War Veterans Post Chapter 91, being Post Commander Jack Lotz, First and Past Commander Seymour Lehman, and Harold Dworetzky currently serving as the Chairman of the Yonkers Central Committee of War Veterans Organizations, were each presented with the "Ambassador for Peace Medal" to pay tribute to their military service as American soldiers who risked their lives to guarantee the freedoms of South Korean people. Seymour Lehman is a well-known Korean War Veteran and New York State Veterans Hall of Famer and a true embodiment of the spirit of the Ambassador for Peace Award; Seymour notably was the very first Commander for the Westchester Korean Veterans and set in motion the principles and guidelines under which Chapter 91 and others continues to operate today, and

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RESOLUTION NO.122-2011 (CONTINUED)

Whereas, on June 27, 2011, the members of Korean War Veterans Post Chapter 91 were called back to a “Special Medallion & Certificate of Appreciation” Official Proclamation Ceremony held again in Bible Korean United Methodist Church, Dix Hills, N.Y. presenting each Korean War Veteran with a Medallion and Letter of Appreciation in recognition of those who made the ultimate sacrifice for the defense of the Republic of Korea stating, “All the people of the Republic of Korea hold dear to their heart, the holy sacrifice and great achievement, which became the foundation for the freedom and prosperity of Korea as a democratic nation.”

Now, therefore be it resolved, the members of the City Council of Yonkers salute with great pride and respect the Korean War Veterans of Yonkers Post Chapter 91 and honors their answer to the call to arms and defense of a country they did not know in the name of freedom and democracy -- values that we in America enjoy and treasure each and every day. Presented to Post Commander Jack Lotz, Seymour Lehman, First and Past Commander, and Harold Dworetzky, Commander of Yonkers Central Committee of War Veterans Organizations, at the stated City Council Meeting held this the 27th day of September 2011.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, SEPTEMBER 27, 2011 BY A VOTE OF 6-0. COUNCILMEMBER LARKIN ABSENT.

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COMMITTEE REPORTS

THIS CITY COUNCIL MEETING WAS ADJOURNED AT 8:30 PM IN MEMORY OF ALL WHO WERE LOST IN KOREA AND ALL OF OUR OTHER WARS.