

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JANUARY 10, 2012

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:

 2 MAJORITY LEADER WILSON A. TERRERO
 5 MINORITY LEADER JOHN J. LARKIN

COUNCIL MEMBERS:
DISTRICT:

 1 CHRISTOPHER A. JOHNSON
 3 MICHAEL R. SABATINO
 4 DENNIS E. SHEPHERD
 5 MICHAEL B. BREEN

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.

Motion by Minority leader Larkin seconded by Councilmember Shepherd to reconsider the minutes of the December 16 and December 28, 2011 Special meetings to allow Majority leader Terrero to vote in the affirmative. The motion was passed unanimously.

Minutes of the stated meeting held on December 13, 2011 and special meeting's held on December 16, 2011 & December 28, 2011 approved as amended on motion of Majority Leader Wilson Terrero.

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COMMUNICATIONS FROM CITY OFFICIALS

NONE

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COMMUNICATIONS - GENERALLY

NONE

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COMMITTEE OF THE WHOLE

NO SPEAKERS

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SPECIAL ORDINANCE NO.1-2011

1. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CABLEVISION A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES AT 2235 CENTRAL PARK AVENUE, THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET.

WHEREAS, Cablevision, in a communication forwarded to the City Engineer dated November 7, 2011, 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 to install a new conduit and related services at the 2235 Central Park Avenue, Yonkers, N.Y. in accordance with the annexed drawing; 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, said work will include but not be limited to the installation of PVC conduit on Central Park Avenue, trenching Roxbury Drive and removing and replacing a portion of the sidewalk, and boring under a concrete driveway and traveling onto private property to the side of 2211 Central Park Avenue; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets and sidewalks in the same condition as said streets and sidewalks were in prior to said excavation or removal 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:

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SPECIAL ORDINANCE NO.1-2011 (CONTINUED)

Section 1. Permission is hereby given to Cablevision, 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 to install a new conduit and related services, as described herein, at the 2235 Central Park Avenue, Yonkers, N.Y.

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JANUARY 10, 2012 BY A VOTE OF 7-0.

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RESOLUTION NO.1-2012

2. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

WHEREAS, Mayor Michael J. Spano has appointed First Deputy Chief of Police Charles Gardner to be the City of Yonkers' next Police Commissioner; and

WHEREAS, the Commissioner designee has served in the City of Yonkers' Police Department for more than three decades with distinction; and

WHEREAS, the Commissioner designee began a career in law enforcement in 1979 as a sworn peace officer in the City and has advanced through the ranks of that department; and

WHEREAS, the Commissioner designee has all of the qualifications, experience and training to lead a diverse workforce of dedicated women and men; and

WHEREAS, the City Charter requires for this appointment a waiver of Section 2-8 be granted; and

WHEREAS, pursuant to Section C3-7 of the Charter of the City of Yonkers, the appointment of the Police Commissioner is subject to the advice and consent of the City Council; and

WHEREAS, it is in the best interest of the City of Yonkers that the City Council give advice and consent to the appointment of First Deputy Chief of Police Charles Gardner as Police Commissioner and in doing so, the waiver required by Section 2-8 of the Yonkers City Charter be granted.

NOW, THEREFORE BE IT RESOLVED, that the Yonkers City Council hereby gives its advice and consent to the appointment of First Deputy Chief of Police Charles Gardner as Police Commissioner; and be it

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RESOLUTION NO.1-2012 (CONTINUED)

FURTHER RESOLVED, that this Resolution shall be effective as of
January 1, 2012

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A
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VOTE OF 7-0.

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RESOLUTION NO.2-2012

3. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

WHEREAS, Mayor Michael J. Spano has appointed Assistant Fire Chief George Kielb to be the City of Yonkers' next Fire Commissioner; and

WHEREAS, the Commissioner designee has served in the City of Yonkers' Fire Department for more than three decades with distinction; and

WHEREAS, the Commissioner designee began a career in the Fire Service in 1979 as a sworn Firefighter in the City and has advanced through the ranks of that department; and

WHEREAS, the Commissioner designee has all of the qualifications, experience and training to lead a diverse workforce of dedicated Fire personnel; and

WHEREAS, pursuant to Section C3-7 of the Charter of the City of Yonkers, the appointment of the Fire Commissioner is subject to the advice and consent of the City Council; and

WHEREAS, it is in the best interest of the City of Yonkers that the City Council give advice and consent to the appointment of Assistant Fire Chief George Kielb as Fire Commissioner.

NOW, THEREFORE BE IT RESOLVED, that the Yonkers City Council hereby gives its advice and consent to the appointment of Assistant Fire Chief George Kielb as Fire Commissioner; and be it

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RESOLUTION NO.2-2012 (CONTINUED)

FURTHER RESOLVED, that this Resolution shall be effective as of
January 1, 2012

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A
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RESOLUTION NO.3-2012

4. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

WHEREAS, Mayor Michael J. Spano has appointed Commissioner of Public Works, John Liszewski to be the City's next Commissioner of the Department of Finance and Management Services; and

WHEREAS, Commissioner Liszewski has been in the City of Yonkers' employ for the past two dozen years, most recently serving in executive positions in the Department of Public Works for nineteen of those twenty-four years; and

WHEREAS, Commissioner Liszewski began his career with the City in the position of Budget Analyst, advancing to a Senior Analyst and then Manager of Administration in the City's Police Department where he oversaw the fiscal operations of the entire department; and

WHEREAS, the Commissioner designee has all of the experience, qualifications and training to lead and guide the City in the management and control of its fiscal affairs and management services; and

WHEREAS, pursuant to section C3-7 of the Charter of the City of Yonkers, the appointment of the Commissioner of the Department of Finance and Management Services is subject to the advice and consent of the City Council; and

WHEREAS, it is in the best interest of the City of Yonkers that the City Council give advice and consent to the appointment of Commissioner of Public Works, John Liszewski, as Commissioner of Finance and Management Services.

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby gives its advice and consent to the appointment of Commissioner of Public Works John Liszewski as Commissioner of Finance and Management Services; and; be it

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RESOLUTION NO.3-2012 (CONTINUED)

FURTHER RESOLVED, that this resolution take effect January 6, 2012.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JANUARY 10, 2012 BY A VOTE OF 7-0.

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RESOLUTION NO.4-2012

5. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

WHEREAS, Mayor Michael J. Spano has appointed Thomas G. Meier to be the City's next Commissioner of Public Works and to head the Department of Public Works; and

WHEREAS, Commissioner designee Meier has over thirty years senior leadership experience in both the public sector including twenty-five years in Senior Military Leadership and Management, and the public sector; and

WHEREAS, the Commissioner designee has the demonstrated ability to successfully guide and lead large organizations in complex and time sensitive tasks and assignments; and

WHEREAS, the Commissioner designee can call upon these past managerial experiences to provide leadership and guidance to the City's dedicated and diverse workforce in the Department of Public Works; and to accomplish successfully the mission of this Department; and

WHEREAS, pursuant to Section C3-7 of the Charter of the City of Yonkers the appointment of the Commissioner of Public Works is subject to the advice and consent of the City Council; and

WHEREAS, it is in the best interest of the City of Yonkers that the City Council give advise and consent to the appointment of Thomas G. Meier as Commissioner of Public Works.

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby gives its advice and consent to the appointment of Thomas G. Meier as the Commissioner of Public Works; and be it

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RESOLUTION NO.4-2012 (CONTINUED)

FURTHER RESOLVED, that this Resolution take effect as of January 6, 2012.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JANUARY 10, 2012 BY A VOTE OF 7-0.

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RESOLUTION NO.5-2012

6. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

WHEREAS, Mayor Michael J. Spano has appointed Paul N. Summerfield, P.E., as the City's next City Engineer to head the Department of Engineering; and

WHEREAS, the City Engineer designee has more than thirty years experience as a licensed Professional Engineer in both the private and public sectors; and

WHEREAS, the City Engineer designee has served the City as Deputy City Engineer for four and one-half years and most recently has been the Acting City Engineer; and

WHEREAS, the City Engineer designee possesses the necessary educational qualifications for appointment to this position and also has the necessary experience in construction, design and development to lead the City and its Engineering Department in all aspects of this precise work which work impacts all residents of and visitors to the City; and

WHEREAS, pursuant to Section C3-7 of the Charter of the City of Yonkers the appointment of the City Engineer is subject to the advice and consent of the City Council; and

WHEREAS, it is in the best interest of the City of Yonkers that the City Council give advice and consent to the appointment of Paul N. Summerfield, P.E., as City Engineer.

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby gives its advice and consent to the appointment of Paul N. Summerfield, P.E. as City Engineer; and be it

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RESOLUTION NO.5-2012 (CONTINUED)

FUTHER RESOLVED, that this Resolution take effect as of January 6, 2012.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JANUARY 10, 2012 BY A VOTE OF 7-0.

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RESOLUTION NO.6-2012

7. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

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 SEVEN HUNDRED NINETY FIVE AND 76/100 DOLLARS (\$1,795.76) of the action entitled, "STATE FARM a/s/o THERESA PASQUALE, plaintiff against THE CITY OF YONKERS, Defendant", for property damage arising out of an alleged accident alleging that on October 11, 2007 a City of Yonkers tree struck plaintiff's vehicle while parked in front of 364 Park Avenue, 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 ONE THOUSAND SEVEN HUNDRED NINETY FIVE AND 76/100 DOLLARS (\$1,795.76) in favor of said plaintiff.

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RESOLUTION NO.7-2012

8. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

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 January 31, 2014.

Mary Ruth Hunt
440 Warburton Ave
Yonkers, New York 10705

Andrus Center RENEWAL

Anthony Leroy Inniss
31 Runyon Ave
Yonkers, New York 10710

Royal Coach Lines RENEWAL

Vincent A. Massaro
21 Hillbright Terr
Yonkers, New York 10703

COY RENEWAL

Sharon Melonie Perez
81 Bruce Ave, 1S
Yonkers, New York 10705

Fitzgerald & Fitzgerald RENEWAL

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RESOLUTION NO.8-2012

9. BY COUNCILMEMBER JOHNSON, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS, SABATINO, SHEPHERD AND BREEN:

WHEREAS, the Yonkers Downtown/Waterfront BID, will be holding their first Yonkers Downtown International Restaurant Week from Saturday, January 21st to Sunday, January 29th, and has requested permission from the City Council to place banners throughout the City promoting the event; and

WHEREAS, the Yonkers Downtown/Waterfront BID has asked that they be permitted to place three (3) banners at the following locations: (1) on the Sadore Lane foot-bridge, Central Park Avenue; (2) the City Hall foot-bridge, Nepperhan Avenue; and (3) at Main Street and Riverdale Avenue (in front of La Bella Havana Restaurant) as soon as possible and to be removed as soon after January 29th as is possible; and

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 the Yonkers Downtown Waterfront BID 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.

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COMMITTEE REPORTS

THIS MEETING WAS ADJOURNED AT 8:23PM.