

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

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

TIME: 8:25PM

PRESENT: PRESIDENT OF THE COUNCIL
 CHUCK LESNICK

DISTRICT:

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

COUNCIL MEMBERS:
DISTRICT:

 1 CHRISTOPHER A. JOHNSON
 3 MICHAEL R. SABATINO - ABSENT
 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.

Minutes of the stated meeting held on January 24, 2012 approved on motion of Majority Leader Wilson Terrero.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

INDEX

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1. R. 16-2012	RES – APPOINTMENT BRENDAN McGRATH DEPUTY CORPORATION COUNSEL	6
2. R. 17-2012	RES – IMA – WITH WESTCHESTER COUNTY STOP DWI PATROL PROGRAM	7
3. R. 18-2012	RES – SETTLEMENT – VILLA (\$881.71)	8
4. R. 19-2012	RES – SETTLEMENT – REIS (\$1,100.00)	9
5. R. 20-2012	RES – SETTLEMENT – CORREIA (\$1,500.00)	10
6. R. 21-2012	RES – COMMISSIONERS OF DEEDS	11/12
7. R. 22-2012	RES – AFRICAN AMERICAN RAIN FOREST	13/14
8. R. 23-2012	RES – BANNER - IRISH CONCERT	15
9. R. 24-2012	HONORARIUM – TEEN DATING VIOLENCE AWARNNESS MONTH	16

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

COMMUNICATIONS FROM CITY OFFICIALS

NONE

ANNOTATED AGENDA
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TUESDAY, FEBRUARY 14, 2012

COMMUNICATIONS - GENERALLY

NONE

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STATED MEETING
TUESDAY, FEBRUARY 14, 2012

COMMITTEE OF THE WHOLE

NONE

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CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.16-2012

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

WHEREAS, Mayor Michael J. Spano has appointed Brendan J. McGrath, Esq. to serve as Second Deputy Corporation Counsel; and

WHEREAS, the Second Deputy Corporation Counsel designee has approximately eleven years experience in the Office of the Westchester County Attorney; and

WHEREAS, this legal experience included the prosecution of matters in the various courts of Westchester County, knowledge of and practice in Appellate litigation, drafting of opinions and legislation and daily management of office and personnel; and

WHEREAS, pursuant to Section C3-5 of the City Charter the appointment of the Second Deputy Corporation Counsel is subject to the advice and consent of the City Council; and

WHEREAS, since the Second Deputy Corporation Counsel designee possesses the necessary legal experience and qualifications for the said position in the Department of Law, it is in the best interest of the City of Yonkers that the City Council give advise and consent to the appointment of Brendan J. McGrath, Esq. as Second Deputy Corporation Counsel;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby gives its advice and consent to the appointment of Brendan J. McGrath, Esq. as the Second Deputy Corporation Counsel; and be it

FURTHER RESOLVED, that this resolution take effect as of January 17, 2012.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 14, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SABATINO WAS ABSENT

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.17-2012

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

RESOLUTION AMENDING RESOLUTION 151-2011 TO THE EXTENT OF SPECIFYING THE TERMS OF THE AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH WESTCHESTER COUNTY IN REGARD TO THE "STOP- DWI PATROL PROGRAM".

WHEREAS, the Mayor of the City of Yonkers has proposed that the City of Yonkers enter into an Inter-Municipal Agreement (IMA) with the County of Westchester by which the City shall participate in the Westchester County Stop DWI Patrol Project;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute an Inter-Municipal Agreement with the County of Westchester for the payment of a sum not to exceed eight thousand four hundred dollars (\$ 8,400.00) annually to the City of Yonkers for participation in the Westchester County STOP-DWI PATROL PROJECT REIMBURSEMENT PROGRAM for the period January 1, 2011 through December 31, 2015; 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, FEBRUARY 14, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SABATINO WAS ABSENT

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.18-2012

3. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, 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 EIGHT HUNDRED EIGHTY ONE DOLLARS AND 71/100 DOLLARS (\$881.71) of the action entitled, "ROSA VILLA v. CITY OF YONKERS", residing at 153 Parkview Avenue Bronxville, New York 10708, "plaintiff" against "THE CITY OF YONKERS", "Defendant", for property damage arising out of an accident alleging that damage was sustained to her 2010 Honda Civic when it was rear ended at a traffic light on South Broadway and Highland Avenue in the City of Yonkers by a City of Yonkers DPW vehicle. 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 EIGHT HUNDRED EIGHTY ONE DOLLARS AND 71/100 DOLLARS (\$881.71) in favor of said plaintiff.

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ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.19-2012

4. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, 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 ONE HUNDRED DOLLARS AND NO CENTS (\$1,100.00) of the action entitled, "PAULO REIS v. CITY OF YONKERS", residing at 38 Priscilla Avenue, Yonkers, New York 10710, "plaintiff" against "THE CITY OF YONKERS", "Defendant", for property damage arising out of an accident alleging that damage was sustained to his 1994 Honda Civic when it was struck at the intersection of Primrose Avenue and Carver Terrace, in the City of Yonkers by a City of Yonkers DPW vehicle. 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 ONE HUNDRED DOLLARS AND NO CENTS (\$1,100.00) in favor of said plaintiff.

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CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.20-2012

5. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, 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 Five Hundred Dollars (\$1,500.00) of the action entitled, "Victor Correia, Plaintiff against THE CITY OF YONKERS, Defendant", for property damage arising out of an incident alleging that on June 28, 2011 a Yonkers DPW truck backed into plaintiff's Yamaha Motorcycle while it was parked in front of 124 Beverly Road , in Yonkers, New York, 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 Five Hundred Dollars (\$1,500.00) in favor of said plaintiff.

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ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.21-2012

6. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, 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 February 29, 2014.

Michelle A. Paz
1 Purser Place
Yonkers, New York 10705

Fitzgerald & Fitzgerald

RENEWAL

Linda Talbot
2 Curran Court
Yonkers, New York 10710

N/A

RENEWAL

Marry Tawdrous
280 Edwards Place
Yonkers, New York 10703

Electrician

RENEWAL

Joan Haynes
570 Yonkers Ave
Yonkers, New York 10704

Architect

RENEWAL

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.21-2012 (CONTINUED)

Georgia Stasinis Laudari
36 Cathedral Ave, 2A
Hempstead, New York 11550

Smith Buss & Jacobs

NEW

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STATED MEETING HELD ON TUESDAY, FEBRUARY 14, 2012 BY A
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ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.22-2012

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

WHEREAS, the City of Yonkers played a small but important, and heretofore unseen, role in the history of freedom in America; and

WHEREAS, Philipse Manor Hall, which serves as a museum of history, art, and architecture, has a history which lends a unique twist to general knowledge of the American Revolution; and

WHEREAS, John Jay, the then future first Chief Justice of the United States Supreme Court, was a leading statesman, and a voice against slavery, who in 1777 first supported legislation in New York that would free enslaved persons from property confiscated by the State; and

WHEREAS, Philipse Manor Hall was one such site that was confiscated, Yonkers became one of the first cities in the State with freed slaves, until 1799 when then Governor John Jay signed legislation that manumitted all enslaved persons in New York; and

WHEREAS, the City of Yonkers, the County of Westchester, ArtsWestchester, the Yonkers Board of Education, local artist and many community volunteers are collaborating to develop the Enslaved Africans' Rain Garden; and

WHEREAS, the Rain Garden would be a multi-million dollar, urban-heritage sculpture garden, featuring art in a public place, honoring the legacy of enslaved Africans who resided at Philipse Manor Hall, including six of whom were the first to be manumitted by law, seventy-six years before the Emancipation Proclamation; and

WHEREAS, a primary goal of the project is to provide the Yonkers community, as well as the County of Westchester, with a testament to its commitment to cross-cultural exposure by creating a public artwork that acknowledges the dignity of enslaved Africans and restores their humanity; and

WHEREAS, the City Council of Yonkers commends the groups and the artist, Vinnie Bagwell for their efforts to date;

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.22-2012 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED, that the City Council supports the Enslaved Africans Rain Garden, with a possible location at the top of the Larkin Plaza Saw Mill River Daylighting project or suitable location near Philipse Manor Hall.

FURTHER RESOLVED, that construction of the Garden, in whole or in part, be implemented once funding sources are identified by grant, foundation or other private funds.

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CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.23-2012

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

WHEREAS, the Untermeyer Performing Arts Council in cooperation with the Yonkers Department of Parks, Recreation and Conservation, will be holding a "Free" concert; "An Evening Of Irish Culture" on Friday night March 9, 2012 at 7pm at Saunders High School located at 183 Palmer Road; (performers will be the McLean Ave. Band and the Emerald Fire Dancers), and has requested permission from the City Council to place banners throughout the City promoting the event, and

WHEREAS, Untermeyer Performing Arts Council in cooperation with the Yonkers Department of Parks, Recreation and Conservation has asked that they be permitted to place two (2) banners at the following locations: (1) on the McLean Ave. footbridge over the New York State Thruway and (2) the intersection of Bryn Mawr Terrace & Palmer Road on or around Feb. 12, 2012 and to be removed as soon after March 9, 2012 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 Untermeyer Performing Arts Council in cooperation with the Yonkers Department of Parks, Recreation and Conservation to place two 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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ANNOTATED AGENDA
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STATED MEETING
TUESDAY, FEBRUARY 14, 2012

RESOLUTION NO.24-2012

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

WHEREAS, 1 in 3 young people are affected by physical, sexual, verbal, emotional, economic, technological or other abusive behavior intending to harm, threaten, intimidate, harass, coerce, control isolate restrain or monitor the person with whom they have or had a dating relationship with; and

WHEREAS, young adults can make better choices if they have a clear understanding of what constitutes a healthy relationship and what the warning signs are of an abusive relationship; and

WHEREAS, studies show that dating violence can result in unhealthy behaviors such as, drugs and alcohol, victims are more likely to develop eating disorders. Some teens many think about or attempt suicide. Young adults that are victims during their high school years are at a greater risk of being victimized during their college years as well; and

WHEREAS, Teen Dating Violence Awareness and Prevention month is an excellent opportunity for us as a community to work together to learn more about preventing dating violence and protecting the young adults in our community; and

WHEREAS, the City of Yonkers is joining New York State in the mission to work collectively towards eliminating dating violence, by spreading awareness, educating our teenagers and parents; and

NOW, THEREFORE BE IT RESOLVED THAT, I, Chuck Lesnick, Yonkers City Council President, do hereby recognize February 2012, as Teen Dating Violence Awareness Month in the City of Yonkers.

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CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 14, 2012

COMMITTEE REPORTS

THIS COUNCIL MEETING WAS ADJOURNED AT 8:35PM.