

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 13, 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
 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 - 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 February 28, 2012 approved on motion of Majority Leader Wilson Terrero.

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OLD BUSINESS

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COMMUNICATIONS FROM CITY OFFICIALS

FROM RICHARD CARLSON, CHAIRMAN OF THE LANDMARKS
PRESERVATION BOARD, INFORMING THE CITY COUNCIL THAT THE
BOARD VOTED UNANIMOUSLY TO RECOMMEND LOCALLY
LANDMARKING TEUTONIA HALL AT ITS MEETING OF MARCH 7, 2012

FILED

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COMMUNICATIONS – GENERALLY

NONE

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COMMITTEE OF THE WHOLE

NO SPEAKERS

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PUBLIC HEARING

A PUBLIC HEARING ON A RESOLUTION TO HONORARILY RE-NAME
THE INTERSECTION OF GLENWOOD AVENUE AND RAVINE AVENUE
IN MEMORY OF LANCE CORPORAL ANTHONY DESHON STEWART.

<u>NAME</u>	<u>ADDRESS</u>
1. Yvonne Hill	30 Locust Hill, Yonkers
2. Elder Darlene Turner	Youngstown, Ohio
3. Hope Hollinsworth	73 Onondaga, Yonkers

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OLD BUSINESS

RESOLUTION NO.34-2011

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

WHEREAS, Lance Corporal Anthony Deshon Stewart, a lifetime Yonkers resident, died in faithful and honorable service to our country; and

WHEREAS, after graduating from Charles E. Gorton High School, Lance Corporal Anthony Deshon Stewart, enlisted in the United States Marine Corp on September 6, 1989, being assigned to First Marine Division Kaneohe Bay in Hawaii, and completed basic training at Paris Island, South Carolina on December 1, 1989, and on March 22, 1990, Lance Corporal Stewart completed Infantry School in Camp Lejune, North Carolina; and

WHEREAS, on September 3, 1990, Lance Corporal Anthony Deshon Stewart, left for Saudi Arabia to serve his country in the Gulf War, and three months later, on December 29, 1990, Anthony's family received a devastating call that Anthony was killed by friendly fire; and

WHEREAS, in his short Marine career, Lance Corporal Stewart, received the following medals: Navy Unit Commendation Plaque with a Ribbon Bar, National Defense Service Medal, Southwest Asia Service Medal with Bronze Star, Sea Deployment Ribbon and a Rifle Marksman Badge, and Lance Corporal Stewart's name is inscribed in both Yonkers Veterans Memorials and Larkin Plaza; and

WHEREAS, in memory of Lance Corporal Anthony Deshon Stewart, his family and friends request to have an honorary street-naming; and

WHEREAS, it is the desire of the City Council to honor the family's request to render a public and permanent reminder of the achievements of this Yonkers native; and

WHEREAS, the Yonkers City Council requires a public hearing to take place for such a request;

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RESOLUTION NO.34-2011 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby directs the City Clerk to set a properly notified and publicized public hearing date on the matter, for consideration of the honorary street naming of "Ravine Avenue" at the intersection of Glenwood Avenue and Ravine Avenue. This street is be honorarily named, "US Marine Lance Corporal Anthony Deshon Stewart Drive."

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 13, 2012 BY A VOTE OF 5-0. COUNCILMEMBERS SABATINO AND BREEN WERE ABSENT

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NEW BUSINESS

SPECIAL ORDINANCE NO.8-2012

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

AN ORDINANCE CONFIRMING THE TAX ROLL FOR WESTCHESTER COUNTY TAXES, INCLUDING SEWER DISTRICT TAXES AND REFUSE DISPOSAL DISTRICT TAXES, FOR THE CALENDAR YEAR 2012, AND LEVYING AND ASSESSING THE TAXES CONTAINED THEREIN.

The City of Yonkers, in the City Council convened, hereby ordains and enacts:

Section 1. The apportionment and extension of the assessment roll of Westchester County Taxes for the calendar year 2012, including sewer district taxes and refuse disposal district taxes, having been completed by the City Assessor at the direction of the City Council, said apportionment and extension constitutes the tax rolls for Westchester County Taxes and said taxes are hereby levied and assessed on the real property appearing thereon as therein set forth.

Section 2. The Mayor is authorized to sign and attach to such tax rolls a warrant under the corporate seal of the City allowing the City Comptroller to collect, in the manner provided by law, the taxes set forth therein, and the City Assessor is hereby directed to deliver the said tax rolls to the Comptroller.

Section 3. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 13, 2012 BY A VOTE OF 5-0. COUNCILMEMBERS SABATINO AND BREEN WERE ABSENT. THE ABOVE ORDINANCE WAS ADOPTED AT 8:35PM.

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SPECIAL ORDINANCE NO.9-2012

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

A SPECIAL ORDINANCE GRANTING TO VERIZON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES AT 50 WARBURTON AVENUE BLOCK 2017, LOT 23 TO UPGRADE THE TELECOMMUNICATIONS SYSTEM, THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS

WHEREAS, Verizon, in a communication forwarded to the City Engineer dated February 16, 2012, 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 feet and to install a new conduit and related services to 50 Warburton Avenue Block 2017, Lot 23, the estimated dimensions are in excess of 100 linear feet, in accordance with Permit Number A014093; 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 Verizon as stated herein, 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 to 50 Warburton Avenue, Block 2017, Lot 23.

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SPECIAL ORDINANCE NO.9-2012 (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, MARCH 13, 2012 BY A VOTE OF 5-0. COUNCILMEMBERS SABATINO AND BREEN WERE ABSENT

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SPECIAL ORDINANCE NO.10-2012

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

A SPECIAL ORDINANCE GRANTING TO VERIZON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES TO VELTRI LANE, BLOCK 5180, TO UPGRADE THE TELECOMMUNICATIONS SYSTEM, THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Verizon, in a communication forwarded to the City Engineer dated January 31, 2012, 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 and to install a new conduit and related services to Veltri Lane, Block 5180, the estimated dimensions are in excess of 100 linear feet and not more than 723 linear feet, in accordance with Permit Number A014092; 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 Verizon, 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 and not more than 723 linear feet, in order to install a new conduit and related services to Veltri Lane, Block 5180.

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SPECIAL ORDINANCE NO.10-2012 (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, MARCH 13, 2012 BY A VOTE OF 5-0. COUNCILMEMBERS SABATINO AND BREEN WERE ABSENT

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SPECIAL ORDINANCE NO.11-2012

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

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT WELLS AVENUE AND WARBURTON AVENUE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer dated February 23, 2012, 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 and no more than 175 linear feet, more or less, and to replace and install new gas underground facilities and related services at Wells Avenue and Warburton Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-02039-WCY; 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 100 linear feet and no more than 175 linear feet, more or less, and to replace and install new gas underground facilities and related services at Wells Avenue and Warburton Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-02039-WCY.

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SPECIAL ORDINANCE NO.11-2012 (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, MARCH 13, 2012 BY A VOTE OF 5-0. COUNCILMEMBERS SABATINO AND BREEN WERE ABSENT

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RESOLUTION NO.35-2012

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

WHEREAS, Mayor Mike Spano has appointed Sam A. Borrelli to be the City of Yonkers' next Deputy Commissioner of the Department of Parks, Recreation and Conservation; and

WHEREAS, the Deputy Commissioner designee previously has served the City of Yonkers as the Commissioner of the Department of Public Works and brings to the present assignment an uncompromising wealth of knowledge of the City and its departments; and

WHEREAS, the Deputy Commissioner designee possesses the necessary training, qualifications and experience to assist the Department of Parks Recreation and Conservation in carrying out its mission of planning, organizing, managing and directing all recreation programs, and the maintenance and beautification of parks and malls throughout the City; and

WHEREAS, pursuant to § C 3-5 of the Charter of the City of Yonkers, the appointment of the Deputy Commissioner of the Department of Parks, Recreation and Conservation 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 Sam A. Borrelli as Deputy Commissioner, Department of Parks, Recreation and Conservation.

NOW THEREFORE BE IT RESOLVED, that the Yonkers City Council hereby gives its advice and consent to the appointment of Sam A. Borrelli as Deputy Commissioner, Department of Parks, Recreation and Conservation; and be it

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RESOLUTION NO.35-2012 (CONTINUED)

FURTHER RESOLVED, that this resolution will take effect as of February 14, 2012.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 13, 2012 BY A VOTE OF 5-0. COUNCILMEMBERS SABATINO AND BREEN WERE ABSENT

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RESOLUTION NO.36-2012

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

WHEREAS, the New York State Office of Homeland Security has awarded the City of Yonkers a \$74,000.00 Buffer Zone Protection Program Grant for the fiscal year 2009 (2009 Buffer Zone Protection Grant WM09154096) designed to reduce the vulnerabilities of critical infrastructures and key resource sites by extending the protected area around a site into the surrounding community and supporting the prevention and preparedness efforts of the local first responders; and

WHEREAS, the Mayor or his designee of the City of Yonkers is hereby authorized to execute such agreement with the New York State Office of Homeland Security in order to provide such funds to the Police Department of the City of Yonkers and no matching funds from the City is required;

NOW, THEREFORE BE IT RESOLVED, that the Mayor or his designee of the City of Yonkers is hereby authorized to execute the grant agreement with New York State Office of Homeland Security in order to implement the Buffer Zone Protection Program; 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, MARCH 13, 2012 BY A VOTE OF 5-0. COUNCILMEMBERS SABATINO AND BREEN WERE ABSENT

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RESOLUTION NO.37-2012

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

WHEREAS, the authorization for the City of Yonkers to negotiate the private sale of its bonds and notes is vital to improving the City's financial stability and independence; and

WHEREAS, the continuance of this power will allow more cost-effective financing of the City's debt; and

WHEREAS, the City's bonding authority will expire on June 30, 2012 unless it is extended for one (1) year; and

WHEREAS, Senate Bill No. S 6460 and its companion bill, Assembly Bill No. A 9292 have been introduced into the New York State legislature; and

WHEREAS, these bills will permit the private sale of bonds or notes by the City of Yonkers, subject to the approval of the State Comptroller; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers hereby declares that the enactment of S 6460 and A 9292 are in the best interests of the City of Yonkers to extend until June 30, 2013, the City's authorization to negotiate the private sale of bonds and notes and is essential to improving the city's financial stability and independence; and

BE IT FURTHER RESOLVED, that the City Council requests the City Clerk to forward a copy of this Home Rule Request Message to the Legislature of the State of New York requesting the passage of the aforesaid bills.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 13, 2012 BY A VOTE OF 5-0. COUNCILMEMBERS SABATINO AND BREEN WERE ABSENT

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RESOLUTION NO.38-2012

9. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON 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 March 31, 2014.

Renee Milligan
81 Saratoga Ave, 1B
Yonkers, New York 10705

City Of Yonkers

RENEWAL

Irene Laboy
117 LaSalle Dr.
Yonkers, New York 10710

Lighting Service

RENEWAL

Kelly Ann O'Brien
80 Grassy Sprain Rd
Yonkers, New York 10710

City of Yonkers

RENEWAL

Joseph H. Smith
200 Valentine Lane
Yonkers, New York 10705

Student

NEW

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RESOLUTION NO.38-2012 (CONTINUED)

Wasim Fadda
107 Travers Avenue
Yonkers, New York 10705

Electrician

NEW

Hassan Solemri
73 Market Street
Yonkers, New York 10703

Civil Engineer

NEW

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RESOLUTION NO.39-2012

- 9A BY COUNCILMEMBER SHEPHERD, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN AND COUNCILMEMBER JOHNSON:

WHEREAS, The Mclean Avenue Merchant's Association, will hold its First Annual St. Patrick's Day Parade on Saturday, March 24, 2012, and has requested permission from the City Council to place banners in the area promoting this event, and

WHEREAS, The Mclean Avenue Merchant's Association has asked that they be permitted to place four (4) banners at the following locations: (1) on North Broadway & Executive Blvd. (2) on the outside of the Sadore Lane Bridge going Northbound (3) On the Mclean Avenue Bridge at Central Park Avenue going Southbound (4) On the Yonkers Avenue Bridge at Central Park Avenue going Northbound, on or around March 14th and to be removed as soon after March 25, 2012 as is possible.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to the Mclean Avenue Merchants Association to place four 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 CITY COUNCIL MEETING WAS ADJOURNED AT 8:30PM IN
MEMORY OF LANCE CORPORAL ANTHONY DESHON STEWART.