

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
THURSDAY, JUNE 7, 2012

TIME: _____

PRESENT: PRESIDENT OF THE COUNCIL
 CHUCK LESNICK

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

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

WE, THE UNDERSIGNED MEMBERS OF THE CITY COUNCIL, PURSUANT TO RULE 1.2 OF THE CITY COUNCIL RULES, DO HEREBY CALL A SPECIAL MEETING OF THE CITY COUNCIL, TO BE HELD ON THURSDAY, JUNE 7, 2012 IN THE CITY COUNCIL CHAMBERS, FOURTH FLOOR, CITY HALL, YONKERS, NEW YORK AT 3 P.M., FOR THE FOLLOWING PURPOSE:

TO DISCUSS AND TAKE ACTION ON:

1. GENERAL ORDINANCE INCREASING WATER RENTS.
2. SPECIAL ORDINANCE APPROVING JUSTIFICATION DOCUMENTS RELATING TO FY 2012/2013 BUDGET.
3. SPECIAL ORDINANCE ADOPTING THE 2012/2013 TAX BUDGET.
4. SPECIAL ORDINANCE CONFIRMING THE TAX ROLL FOR FY 2012/2013
5. SPECIAL ORDINANCE ADOPTING THE CAPITAL BUDGET FOR FY 2012/ 2013.
6. SPECIAL ORDINANCE ADOPTING THE GRANT BUDGET FOR FY 2012/ 2013.
7. SPECIAL ORDINANCE ADOPTING REVENUE ANTICIPATION NOTE FOR FY 2012/2013.
8. SPECIAL ORDINANCE ADOPTING TAX ANTICIPATION NOTE FOR FY 2012/2013.
9. SPECIAL ORDINANCE ADOPTING \$10 MILLION BOND ORDINANCE FINANCING TAX CERTIORARI.
10. SPECIAL ORDINANCE ADOPTING THE SALARY SCHEDULE
11. RES. – DESIGNATING COMMISSIONERS OF DEEDS
12. ALL OTHER BUSINESS PROPERLY COMING BEFORE THE COUNCIL

COUNCIL PRESIDENT LESNICK
MAJORITY LEADER TERRERO
MINORITY LEADER LARKIN
COUNCILMEMBER JOHNSON

COUNCILMEMBER SABATINO
COUNCILMEMBER SHEPHERD
COUNCILMEMBER BREEN

A COMMITTEE OF THE WHOLE MEETING WILL BE HELD PRIOR TO THIS SPECIAL COUNCIL MEETING AT 2:30 P.M.

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COMMITTEE OF THE WHOLE

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GENERAL ORDINANCE

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

A GENERAL ORDINANCE AMENDING GENERAL ORDINANCE NO. 15-1967, ENTITLED, "CODE OF ORDINANCES OF THE CITY OF YONKERS, 1967," IN RELATION TO PROVIDING FOR AN INCREASE IN WATER RENTS:

WHEREAS, the Commissioner of Public Works has established a new scale of water rents, has caused notice thereof to be published, and has held a hearing thereon, all as provided by the Charter of the City of Yonkers, now, therefore.

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

Section 1. General Ordinance No. 15-1967, Chapter 102, Water, 102-2 Rates, as last amended by General Ordinance No. 1 - 2011 is hereby amended to read as follows:

" C 102-2. Water Rates

- A. The following water rates are to be used in computing the water rates in the City of Yonkers for each half of the year:
1. First one million (1,000,000) cubic feet at [one dollar and eighty five cents (\$1.85)] two dollars and thirty-two cents (\$2.32) per one hundred (100) cubic feet.
 2. Over one million (1,000,000) cubic feet at [one dollar and eighty five cents (\$1.85)] two dollars and thirty-two cents (\$2.32) per one hundred (100) cubic feet.
- B. All accounts shall be billed semiannually with a minimum semiannual charge of [forty-six dollars and twenty five cents (\$46.25)] fifty eight dollars and no cents (\$58.00) covering an allowance of two thousand five hundred (2,500) cubic feet. For the purpose of billing for payment of the rates herein, bills for payment for any semiannual period may be prepared based upon estimated quantities."

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GENERAL ORDINANCE (CONTINUED)

Section 2. This ordinance shall take effect July 1, 2012.

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SPECIAL ORDINANCE

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

AN ORDINANCE APPROVING CERTAIN JUSTIFICATION DOCUMENTS OF THE CITY COMPTROLLER, WHICH DOCUMENTS ARE ATTACHED HERewith AND MADE A PART HEREOF, IN RELATION TO THE ADOPTION OF THE CITY'S 2013 FISCAL YEAR BUDGET (SUPPORTING DATA FOR THESE DOCUMENTS ARE ON FILE AND MAY BE EXAMINED IN THE OFFICE OF THE CITY CLERK).

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

Section 1: The following justification documents of the City Comptroller are attached hereto and made a part hereof in relation to the City's 2013 Fiscal Year Budget.

1. Sales and Use Tax	\$66,442,974
2. Real Estate Transfer Tax	\$6,063,115
3. Parking Violations Bureau	\$15,202,091
4. Court Fines	\$1,581,292
5. Parks Department	\$2,905,650
6. County Prisoner Processing	\$329,578
7. Interest Subsidy QSCB	\$1,034,967
8. Appropriated Fund Balance	\$6,849,763
9. Metered Water Sales	\$25,640,732
10. Sundries and Interest	\$695,875
11. Sewer Rents	\$5,644,284
12. BOE Appropriated Fund Balance	\$21,736,691

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SPECIAL ORDINANCE (CONTINUED)

13. City Department Appropriations

- | | |
|--------------------------------------|----------------------------|
| a) Finance Department | f) Public Works Department |
| b) Planning & Development | g) Engineering Department |
| c) Housing & Community Redevelopment | h) Constituent Services |
| d) Police Department | i) Library |
| e) Fire Department | j) Hudson River Museum |

14. Police & Fire Retirement	\$29,984,511
15. Tax Certiorari Payments	\$500,000
16. Senior Citizens Tax Exemptions	\$350,355
16. Administrative Income Tax	\$300,000

Section 2: This ordinance shall take effect immediately or as otherwise provided by law.

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SPECIAL ORDINANCE

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

AN ORDINANCE ADOPTING THE TAX BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2012 AND TERMINATING JUNE 30, 2013.

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

Section 1: The annual estimate of expenditures of \$957,566,344 and revenues for the fiscal year July 1, 2012 to June 30, 2013 submitted by the Mayor and amended, \$327,820,814 the amount deemed necessary by the Mayor to be raised by tax to pay the debts and expenditures of the City of Yonkers for the fiscal year commencing July 1, 2012 and ending June 30, 2013 having been filed in the Office of the City Clerk on April 16, 2012, and public hearings thereon having been held on May 3rd, 2012 and May 29th, 2012 and the same is hereby approved and adopted as the Tax Budget of the City of Yonkers for the fiscal year commencing July 1, 2012 and terminating June 30, 2013 consisting of Personnel Services, Contractual Services, Materials/Supplies and expenses are as set forth in the Budget Document for the respective departments and establishing the total number of positions of each organizational unit of the City annexed hereto as Exhibit A.

Section 2. The amount of said tax budget shall be appropriated and extended by the City Comptroller opposite the several valuations of real property appearing on the assessment roll prepared by the Bureau of Assessment and shall be confirmed by the City Council as soon as possible.

Section 3: This Ordinance shall take effect immediately.

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SPECIAL ORDINANCE

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

AN ORDINANCE CONFIRMING THE TAX ROLL OF THE FISCAL YEAR JULY 1, 2012 TO JUNE 30, 2013 AND LEVYING AND ADDRESSING THE TAXES CONTAINED THEREIN.

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

Section 1: The assessment rolls for the fiscal year July 1, 2012 to June 30, 2013 and the apportionment and extension thereon of the tax budget for the fiscal year July 1, 2012 to June 30, 2013 constituting the tax roll of the City, hereby levied and assessed on the real property appearing thereon as therein set forth.

Section 2: The Mayor is hereby directed to sign and attach to such tax rolls a warrant under the corporate seal of the City commanding the Comptroller to collect, in manner provided by law, the taxes set forth therein, and the City Assessor is hereby directed to thereupon deliver the said tax roll to the Commissioner of Finance & Management Services.

Section 3: This Ordinance shall take effect immediately after statutory approvals in accordance with the Special Local Finance and Budget Act of 1976.

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SPECIAL ORDINANCE

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

AN ORDINANCE ADOPTING THE CAPITAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2012 AND TERMINATING JUNE 30, 2013.

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

Section 1: The Capital Budget for the fiscal year commencing July 1, 2012 and terminating June 30, 2013, a total estimated cost of \$72,738,000 submitted by the Mayor having been filed in the City Clerk's office on April 16, 2012, and public hearings thereon having been held on May 3rd, 2012 and May 29th, 2012 is hereby approved and adopted as the Capital Budget of the City of Yonkers for the fiscal year commencing July 1, 2012 and terminating June 30, 2013.

Section 2: This ordinance shall take effect immediately.

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SPECIAL ORDINANCE

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

AN ORDINANCE ADOPTING THE GRANT BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2012 AND TERMINATING JUNE 30, 2013.

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

Section 1: The annual estimate of expenditures of \$12,423,271 and revenues for the fiscal year July 1, 2012 to June 30, 2013 submitted by the Mayor and amended to pay the debts and expenditures of the City of Yonkers Grant Fund for the fiscal year commencing July 1, 2012 and ending June 30, 2013, having been filed in the Office of the City Clerk on April 16, 2012, and public hearings thereon having been held on May 3rd, 2012 and May 29th, 2012 is hereby approved and adopted as the Grant Budget of the City of Yonkers for the fiscal year commencing July 1, 2012 and terminating June 30, 2013 consisting of Personnel Services, Contractual Services, Materials/Supplies and Expenses are as set forth in the Budget Document for the respective grants, attached hereto and a part hereof.

Section 2: This Ordinance shall take effect immediately.

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SPECIAL ORDINANCE

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

REVENUE ANTICIPATION NOTE ORDINANCE DELEGATING TO THE COMMISSIONER OF FINANCE AND MANAGEMENT SERVICES THE POWERS TO AUTHORIZE THE ISSUANCE OF \$120,000,000 REVENUE ANTICIPATION NOTES OF THE CITY OF YONKERS, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 2013, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

THE CITY COUNCIL OF THE CITY OF YONKERS, IN THE COUNTY OF WESTCHESTER, NEW YORK, HEREBY ORDAINS AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 37-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the City of Yonkers, in the State of New York (the "City" and "State", respectively), in the aggregate principal amount of not to exceed \$120,000,000, and any notes in renewal thereof, is hereby delegated to the Commissioner of Finance and Management Services, as chief fiscal officer of the City.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due and payable to the City in the fiscal year ended June 30, 2013 from State Aid and Incentives for Municipalities Program, State Aid to Education, State Funding for host municipality of video lottery terminals, and sales and use taxes imposed by the City; and the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the City for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall mature within one year of the date of issuance thereof and may be renewed from time to time, but each renewal shall be for a period of not exceeding one year and in no event shall such Notes, or the renewals thereof, extend beyond June 30, 2015.

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SPECIAL ORDINANCE (CONTINUED)

Section 4. The Notes shall contain the recital of validity as prescribed by Section 52.00 of the Law and shall be general obligations of the City, and the faith and credit of the City shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the City and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Sections 50.00, 56.00, 60.00 and 168.00 of the Law, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Commissioner of Finance and Management Services.

Section 6. Pursuant to the provisions of Section 17 of the Special Local Finance and Budget Act of the City of Yonkers constituting Chapters 488 and 489 of the Laws of 1976 of the State of New York (herein called the "Act"), the City is authorized and directed to include the following pledge and agreement of the State of New York (herein called the "State") contained in said Section 17 in this ordinance, and the Act provides that upon payment for the Bonds by the original and all subsequent holders thereof the inclusion of such pledge and agreement shall be deemed conclusive evidence of valuable consideration received by the State and City for such pledge and agreement and of reliance upon such pledge and agreement by any holder and that any action by the State contrary to or inconsistent with the provisions of such pledge and agreement shall be void:

"The state does hereby pledge to and agree with the holders of obligations of the city issued pursuant to the local finance law or this act that the state will not (a) repeal, revoke, repudiate, limit, alter, stay, suspend or otherwise reduce or rescind or impair the power or duty of the city to exercise, perform, carry out and fulfill its responsibilities under this act to the extent that the city incorporates in any bond ordinance or credit agreement covenants and agreements to so exercise, perform, carry out and fulfill such responsibilities, (b) repeal, revoke, repudiate, limit, alter, stay, suspend or otherwise reduce or rescind or impair the rights and

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SPECIAL ORDINANCE (CONTINUED)

remedies of any such holders to fully enforce in a court of law such covenants and agreements so incorporated in the bond ordinance or credit agreement or to enforce the pledge and agreement of the state contained in this section, or (c) otherwise exercise any sovereign power contrary to or inconsistent with the provisions of such bond ordinance or credit agreement, it being hereby determined and declared that the provisions of this act and the powers and duties of the city authorized and imposed hereunder are proper, reasonable and appropriate means by which the state can and should exercise and has exercised its duty under section twelve of article eight of the constitution to prevent abuses by the city in taxation and in the contracting of indebtedness and that the provisions hereof are necessary and in the public interest and proper means to improve market reception for the purchase of bonds and other obligations of the city; provided, however, the foregoing pledge and agreement shall be of no further force and effect if at any time there is on deposit in a separate trust account with the fiscal agent sufficient moneys or direct obligations of the United States of America or the state the principal of and/or interest on which will provide moneys to pay punctually when due at maturity or prior to maturity by redemption in accordance with their terms all principal and interest on all such obligations of the city outstanding, (i) irrevocable instructions from the state and city to the fiscal agent for such payment of such principal and interest with such moneys have been given, and (ii) notice to the holders of such obligation as provided in the bond ordinance or credit agreement has been given, and provided further that such pledge and agreement by the state may be temporarily suspended upon the declaration of martial law in the city in the event of circumstances in the city deriving directly out of a natural disaster (such as an earthquake or major conflagration or flood but not a snowstorm) or civil disturbance (such as military invasion or civil insurrections but not strikes or crises created by financial abuses or economic events)."

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SPECIAL ORDINANCE (CONTINUED)

Section 7. This ordinance shall take effect immediately.

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SPECIAL ORDINANCE

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

TAX ANTICIPATION NOTE ORDINANCE DELEGATING TO THE COMMISSIONER OF FINANCE AND MANAGEMENT SERVICES THE POWERS TO AUTHORIZE THE ISSUANCE OF \$150,000,000 TAX ANTICIPATION NOTES OF THE CITY OF YONKERS, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED FOR THE FISCAL YEAR COMMENCING JULY 1, 2012, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

THE CITY COUNCIL OF THE CITY OF YONKERS, IN THE COUNTY OF WESTCHESTER, NEW YORK, HEREBY ORDAINS AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 37-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Tax Anticipation Notes (herein called "Notes") of the City of Yonkers, in the State of New York (the "City" and "State", respectively), in the aggregate principal amount of not to exceed \$150,000,000, and any notes in renewal thereof, is hereby delegated to the Commissioner of Finance and Management Services, as chief fiscal officer of the City.

Section 2. The Notes shall be issued in anticipation of the collection of real estate taxes levied for City purposes for the fiscal year commencing July 1, 2012, and the proceeds of the Notes shall be used only for the purposes for which said taxes are to be levied.

Section 3. The Notes shall mature within one year of the date of issuance thereof and may be renewed from time to time in accordance with the provisions of the Law.

Section 4. The Notes are not issued in renewal of other notes.

Section 5. No Notes have heretofore been authorized or issued in anticipation of the collection of said taxes.

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SPECIAL ORDINANCE (CONTINUED)

Section 6. The Notes shall contain the recital of validity as prescribed by Section 52.00 of the Law and shall be general obligations of the City, and the faith and credit of the City shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the City and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Sections 50.00, 56.00, 60.00 and 168.00 of the Law, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Commissioner of Finance and Management Services.

Section 6. Pursuant to the provisions of Section 17 of the Special Local Finance and Budget Act of the City of Yonkers constituting Chapters 488 and 489 of the Laws of 1976 of the State of New York (herein called the "Act"), the City is authorized and directed to include the following pledge and agreement of the State of New York (herein called the "State") contained in said Section 17 in this ordinance, and the Act provides that upon payment for the Notes by the original and all subsequent holders thereof the inclusion of such pledge and agreement shall be deemed conclusive evidence of valuable consideration received by the State and City for such pledge and agreement and of reliance upon such pledge and agreement by any holder and that any action by the State contrary to or inconsistent with the provisions of such pledge and agreement shall be void:

"The state does hereby pledge to and agree with the holders of obligations of the city issued pursuant to the local finance law or this act that the state will not (a) repeal, revoke, repudiate, limit, alter, stay, suspend or otherwise reduce or rescind or impair the power or duty of the city to exercise, perform, carry out and fulfill its responsibilities under this act to the extent that the city incorporates in any bond ordinance or credit agreement covenants and agreements to so exercise, perform, carry out and fulfill such responsibilities, (b) repeal, revoke, repudiate, limit, alter, stay, suspend or otherwise reduce or rescind or impair the rights and

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SPECIAL ORDINANCE (CONTINUED)

remedies of any such holders to fully enforce in a court of law such covenants and agreements so incorporated in the bond ordinance or credit agreement or to enforce the pledge and agreement of the state contained in this section, or (c) otherwise exercise any sovereign power contrary to or inconsistent with the provisions of such bond ordinance or credit agreement, it being hereby determined and declared that the provisions of this act and the powers and duties of the city authorized and imposed hereunder are proper, reasonable and appropriate means by which the state can and should exercise and has exercised its duty under section twelve of article eight of the constitution to prevent abuses by the city in taxation and in the contracting of indebtedness and that the provisions hereof are necessary and in the public interest and proper means to improve market reception for the purchase of bonds and other obligations of the city; provided, however, the foregoing pledge and agreement shall be of no further force and effect if at any time there is on deposit in a separate trust account with the fiscal agent sufficient moneys or direct obligations of the United States of America or the state the principal of and/or interest on which will provide moneys to pay punctually when due at maturity or prior to maturity by redemption in accordance with their terms all principal and interest on all such obligations of the city outstanding, (i) irrevocable instructions from the state and city to the fiscal agent for such payment of such principal and interest with such moneys have been given, and (ii) notice to the holders of such obligation as provided in the bond ordinance or credit agreement has been given, and provided further that such pledge and agreement by the state may be temporarily suspended upon the declaration of martial law in the city in the event of circumstances in the city deriving directly out of a natural disaster (such as an earthquake or major conflagration or flood but not a snowstorm) or civil disturbance (such as military invasion or civil insurrections but not strikes or crises created by financial abuses or economic events)."

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SPECIAL ORDINANCE (CONTINUED)

Section 7. This ordinance shall take effect immediately.

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

BOND ORDINANCE OF THE CITY OF YONKERS, NEW YORK, AUTHORIZING THE PAYMENT OF VARIOUS TAX CERTIORARI JUDGEMENTS, COMPROMISED CLAIMS AND SETTLED CLAIMS DURING FISCAL YEAR 2012-2013, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$10,000,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$10,000,000 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION.

THE CITY COUNCIL OF THE CITY OF YONKERS, IN THE COUNTY OF WESTCHESTER, NEW YORK, HEREBY ORDAINS (by the favorable vote of not less than two-thirds of all the members of said City Council) AS FOLLOWS:

Section 1. The City of Yonkers, in the County of Westchester, New York (herein called "City"), is hereby authorized to pay various tax certiorari judgments, compromised claims and settled claims against the City, approved by the City Council during Fiscal Year 2012-13. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$10,000,000, and said amount is hereby appropriated therefor pursuant to the City's Budget for Fiscal Year 2012-2013. The plan of financing includes the issuance of \$10,000,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$10,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of said class of objects or purposes for which said bonds authorized pursuant to this ordinance are to be issued, within the limitations of Section 11.00 a. 33-a. (a) of the Law, is ten (10) years.

Section 4. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall

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SPECIAL ORDINANCE (CONTINUED)

contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City without limitation of rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 30.00, Section 50.00, Sections 56.00 to 60.00, and Section 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and all other powers or duties pertaining or incidental to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, and the power to enter into agreements for credit enhancement for said bonds and notes, are hereby delegated to the chief fiscal officer of the City.

Section 6. Pursuant to the provisions of Section 17 of the Special Local Finance and Budget Act of the City of Yonkers constituting Chapters 488 and 489 of the Laws of 1976 of the State of New York (herein called the "Act"), the City is authorized and directed to include the following pledge and agreement of the State of New York (herein called the "State") contained in said Section 17 in this ordinance, and the Act provides that upon payment for the Bonds by the original and all subsequent holders thereof the inclusion of such pledge and agreement shall be deemed conclusive evidence of valuable consideration received by the State and City for such pledge and agreement and of reliance upon such pledge and agreement by any holder and that any action by the State contrary to or inconsistent with the provisions of such pledge and agreement shall be void:

"The state does hereby pledge to and agree with the holders of obligations of the City issued pursuant to the local finance law or this act that the state will not (a) repeal, revoke, repudiate, limit, alter, stay, suspend or otherwise reduce or rescind or impair the power or duty of the City to exercise, perform, carry out and fulfill its responsibilities under this

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act to the extent that the City incorporates in any bond ordinance or credit agreement covenants and agreements to so exercise, perform, carry out and fulfill such responsibilities, (b) repeal, revoke, repudiate, limit, alter, stay, suspend or otherwise reduce or rescind or impair the rights and remedies of any such holders to fully enforce in a court of law such covenants and agreements so incorporated in the bond ordinance or credit agreement or to enforce the pledge and agreement of the state contained in this section, or (c) otherwise exercise any sovereign power contrary to or inconsistent with the provisions of such bond ordinance or credit agreement, it being hereby determined and declared that the provisions of this act and the powers and duties of the City authorized and imposed hereunder are proper, reasonable and appropriate means by which the state can and should exercise and has exercised its duty under section twelve of article eight of the constitution to prevent abuses by the City in taxation and in the contracting of indebtedness and that the provisions hereof are necessary and in the public interest and proper means to improve market reception for the purchase of bonds and other obligations of the City; provided, however, the foregoing pledge and agreement shall be of no further force and effect if at any time (i) there is on deposit in a separate trust account with the fiscal agent sufficient moneys or direct obligations of the United States of America or the state the principal of and/or interest on which will provide moneys to pay punctually when due at maturity or prior to maturity by redemption in accordance with their terms all principal and interest on all such obligations of the City outstanding, (ii) irrevocable instructions from the state and City to the fiscal agent for such payment of such principal and interest with such moneys have been given, and (iii) notice to the holders of such obligation as provided in the bond ordinance or credit agreement has been given, and provided further that such pledge and agreement by the state may be temporarily suspended upon the declaration of martial law in the City in the event of circumstances in the City deriving directly out of a natural disaster (such as an earthquake or major conflagration or flood but not a snowstorm) or civil disturbance (such as military invasion or civil insurrections but not strikes or crises created by financial abuses or economic events)".

Section 6. The validity of the bonds authorized by this ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

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(b) the provisions of law which should be complied with at the date of the publication of such ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in "THE JOURNAL NEWS," a newspaper published in Yonkers, New York, and in "YONKERS RISING" a newspaper published in Yonkers, New York, each having a general circulation in the City and hereby designated the official newspapers of said City for such publication.

Section 8. This ordinance shall take effect immediately.

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SPECIAL ORDINANCE

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

AN ORDINANCE ADOPTING THE SALARY SCHEDULE FOR THE FISCAL YEAR COMMENCING JULY 1, 2012 AND TERMINATING JUNE 30, 2013.

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

Section 1: In accordance with the provision of Section C2-3 (C) of the Charter of the City of Yonkers, the current salaries for all City Officers and employees, except for the salaries of those officers and employees not covered by this Section, are hereby continued at the present levels.

Section 2: This ordinance shall take effect immediately.

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11. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SHEPHERD, SABATINO 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 June 30, 2014.

Christopher Johnson
421 North Broadway Apt.1
Yonkers, New York 10701

Councilmember

NEW

Stephen Maglott
2099 Valentine Avenue
Bronx, New York 10457

Senator Cousins Office

NEW

John Tomlin
52 Walbrooke Road
Scarsdale, New York 10583

Senator Cousins Office

NEW

Nicole Benjamin
1155 Warburton Avenue Apt. 2M
Yonkers, NY 10701

Council Staff

NEW

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RESOLUTION (CONTINUED)

Symra Brandon
205 N. Broadway
Yonkers, New York, 10701

Senator Cousins Office

NEW

Kathleen Thomas
145 Devon Road
Yonkers, New York 10708

Retired

NEW

Minerva Guerrero
4 Sadore Lane, 1L
Yonkers, New York 10710

Retired

NEW

Rachel Anne Estroff
35 East Grassy Sprain Road
Yonkers, New York 10710

Assemblywoman Mayer

NEW

Robert Voorheis
10 Belmont Place
Yonkers, New York 10701

Assemblywoman Mayer

NEW

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RESOLUTION (CONTINUED)

Christopher Perez
48 Fairview Street, 1F
Yonkers, New York 10703

Sales NEW

Marcello Figueroa
153 Voss Avenue, 1
Yonkers, New York 10701

Assemblywomen Mayer NEW

Euthimios Theotokatos
75 Hart Avenue
Yonkers, New York 10704

Ameri – Care NEW

Kevin Daly
26 Tibbetts Road
Yonkers, New York 10705

Student NEW