

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, OCTOBER 9, 2012

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

TIME: 8:05 PM

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
 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 September 26, 2012 approved on motion of Majority Leader Wilson Terrero.

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COMMUNICATIONS FROM CITY OFFICIALS

FROM PLANNING BOARD CHAIRMAN ROMAN KOZICKY DATED SEPTEMBER 19, 2012 TO THE CITY COUNCIL PRESIDENT, RE; CHICKENS FOR DOMESTIC EGG HARVESTING. THIS RESOLUTION WAS ADOPTED BY THE BOARD 6-0.

FROM PLANNING BOARD CHAIRMAN ROMAN KOZICKY DATED SEPTEMBER 19, 2012 TO THE CITY COUNCIL PRESIDENT, RE; KEEPING OF BEES FOR DOMESTIC HARVESTING. THIS RESOLUTION WAS ADOPTED BY THE BOARD 6-0.

FROM PLANNING BOARD CHAIRMAN ROMAN KOZICKY DATED SEPTEMBER 19, 2012 TO THE CITY COUNCIL PRESIDENT, RE; A REQUEST TO EXTEND A PLANNED URBAN REDEVELOPMENT APPROVAL FOR ONE YEAR.. THIS RESOLUTION WAS ADOPTED BY THE BOARD 6-0.

FILED

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COMMUNICATIONS - GENERALLY

NONE

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COMMITTEE OF THE WHOLE

NONE

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SPECIAL ORDINANCE NO.69-2012

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

AN ORDINANCE AUTHORIZING AND PERMITTING THE PROPERTY OF 6 HENDERSON AVENUE, BLOCK 6092 LOTS 3-4 TO MAKE A LONG HOUSE CONNECTION TO THE CITY'S SANITARY SYSTEM IN ONONDAGA STREET (NO EXPENSE TO THE CITY OF YONKERS).

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

Section 1. Permission is hereby granted to the property owner of 6 HENDERSON AVE, Block 6092 Lots 3-4 to make a long house sanitary sewer connection from said lot to a city sanitary sewer in Onondaga Street. at his own cost and expense and in accordance with the plan submitted by Bruno Pietrosanti, R.A. # 020574 dated June 13, 2012 filed in the Plumbing Division, subject to the conditions of a Plumbing Permit to be secured from the Plumbing Division and a street opening permit to be secured from the City Engineer.

Section 2. This permission is granted under the following terms and conditions, to wit:

The granting of this permission shall, in no way, free or release the said owner, or his successors, from the payment of any assessments or benefits accruing to said lot by reason of the construction of any sanitary sewer already built, or that hereafter shall be built, to serve the area within which the lot herein referred to is located.

The cost of construction, maintenance and repairs of said long house connection shall be the responsibility of the owner of the building served by the long house connection.

Section 3. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 9, 2012 BY VOTE OF 7-0.

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SPECIAL ORDINANCE NO.70-2012

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

A SPECIAL ORDINANCE GRANTING TO VERIZON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES AT WOODWORTH AVENUE TO UPGRADE THE TELECOMMUNICATIONS FACILITIES, THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET.

WHEREAS, Verizon, in a communication forwarded to the City Engineer, dated July 27, 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' (approximately 150' of conduit) and to install a new conduit and related services along Woodworth Avenue, commencing at the intersection of Dock Street; 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 BE IT RESOLVED, that 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 (approximately 150' of conduit) and to install a new conduit and related services along Woodworth Avenue, commencing at the intersection of Dock Street.

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 9, 2012 BY VOTE OF 7-0.

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RESOLUTION NO.114-2012

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

WHEREAS, the City Council of the City of Yonkers recognizes the value of mitigation planning to reduce or eliminate threats to life and property from natural and manmade hazards; and

WHEREAS, the City of Yonkers has received approval from the New York State Department of Homeland Security (NYS DHS) for a 2011 HazMat SHSP Grant (WM11834319) in the amount of \$77,001.00 for uses in overtime payments, equipment and special projects; and

WHEREAS, the Mayor of the City of Yonkers or his designee is hereby authorized to execute such agreement with the New York State Department of Homeland Security in order to provide such funds to the Police Department of the City of Yonkers; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor of the City of Yonkers, or his designee, is hereby authorized to execute the grant agreement with the State of New York, Department of Homeland Security, in order to implement the program and received the funding under the 2011 HazMat SHSP Grant (WM11834319) in the amount of \$77,001.00; 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, OCTOBER 9, 2012 BY VOTE OF 7-0.

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RESOLUTION NO.115-2012

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

A RESOLUTION EXTENDING A PLANNED URBAN REDEVELOPMENT SPECIAL USE PERMIT FOR ONE YEAR FROM SEPTEMBER 12, 2012 THROUGH SEPTEMBER 12, 2013 ON PROPERTIES KNOWN AS BLOCK 2615 LOT 18; BLOCK 2620 LOTS 1, 35, 36 & 40; BLOCK 2625 LOTS 15, 17, 21, & 23, AND BLOCK 2630 LOTS 1-3 ON THE PROPERTY KNOWN AS 1 POINT STREET AND 159 ALEXANDER STREET, PURSUANT TO CHAPTER 43, ARTICLE VII OF THE YONKERS ZONING CODE.

WHEREAS, on September 14, 2011, the City Council unanimously adopted Resolution 109-2011 approving a Planned Urban Redevelopment (PUR) Special Use Permit on properties identified as 1 Point Street and 159 Alexander Street; and

WHEREAS, one year has expired since adoption of the PUR Special Use Permit and the applicant has sought timely to extend said PUR Special Use Permit; and

WHEREAS, the request for an extension has already been submitted to, and approved by the City of Yonkers Planning Board on September 12, 2012; and

WHEREAS, upon review of the application and the record before it, this City Council believes it to be in the best interest of the City to approve the actions taken by the Planning Board, and grant said extension, subject to the thirty three special use permit conditions previously approved by the Planning Board on July 13, 2011, and contained in its resolution, which conditions specifically were made a part of the City Council's resolution adopted on September 14, 2011.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers, in meeting assembled and in accordance with Chapter 43, Section 43-55, that upon the record and findings of the Planning Board with respect to the extension, submitted pursuant to Article VII, Section 43-72 (C) and Section 43-112 of the Zoning Code of the City of Yonkers for an extension of the Planned Urban Redevelopment Special Use Permit at Block 2615 Lot 18; Block 2620 Lots 1, 35, 36 & 40; Block 2625 Lots 15, 17, 21, & 23 and Block 2630 Lots 1-3 on the Tax Assessment Map of the City of Yonkers

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RESOLUTION NO.115-2012 (CONTINUED)

on property known as 1 Point Street and 159 Alexander Street, the decision and actions of the Planning Board of the City of Yonkers are hereby approved, subject to the thirty three conditions set forth in the Planning Board's Resolution to approve the application adopted on July 13, 2011; 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, OCTOBER 9, 2012 BY VOTE OF 7-0.

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RESOLUTION NO.116-2012

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

WHEREAS, the City of Yonkers recognizes its pleasant past relationship with O'Connor Davies, LLP as auditor of the City's financial statements; and

WHEREAS, the City of Yonkers prefers to retain the services of O'Connor Davies, LLP as auditor for of the City's June 30, 2013 and June 30, 2014 financial statements.

THEREFORE, BE IT RESOLVED, that the City of Yonkers hereby renews the professional services contract for situated at One Barker Avenue, White Plains, New York 10601 to conduct the annual independent audits of the City of Yonkers finances for the fiscal years ending June 30, 2013 and June 30, 2014.

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RESOLUTION NO.117-2012

6. BY MINORITY LEADER LARKIN, MAJORITY LEADER TERRERO, SABATINO, SHEPHERD AND BREEN:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YONKERS APPOINTING MICHAEL J. RAMONDELLI TO THE OFFICE OF SECOND DEPUTY CITY CLERK TO COMMENCE ON OCTOBER 15, 2012.

WHEREAS, pursuant to Yonkers City Charter Section C4-4.1, the City Council possesses the authority to appoint a Second Deputy City Clerk; and

WHEREAS, the Second Deputy City Clerk position cannot be of the same political party as the City Clerk or Deputy Clerk; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Yonkers hereby appoints Michael J. Ramondelli as Second Deputy City Clerk; and

BE IT FURTHER RESOLVED that this resolution shall take effect as of October 15, 2012.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, OCTOBER 9, 2012 BY ROLL CALL VOTE OF 5-0. COUNCIL PRESIDENT LESNICK & COUNCILMEMBER JOHNSON ABSTAINED.

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RESOLUTION NO.118-2012

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

WHEREAS, Westchester ARC/ Sheib Training Center, located at 567 Yonkers Avenue, in Yonkers, will hold its Annual Bazaar/ Tag Sale on Saturday, November 17, 2012 and Sunday November 18, 2012 and has requested permission from the City Council to place one banner in the area promoting the event, and

WHEREAS, Westchester ARC/ Sheib Training Center has asked that they be permitted to place 1 (one) banner at the location of Central Park Avenue and Yonkers Avenue, on the pedestrian overpass (northbound and southbound), or wherever convenient in that same area, to be hung on or around November 1, 2012, and to be removed as soon after November 19, 2012 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, the City Council of the City of Yonkers hereby grants permission to Westchester ARC/ Sheib Training Center to place one or two banners at 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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COMMITTEE REPORTS

THIS MEETING WAS ADJOURNED AT 8:29 PM.