

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 13, 2012

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

TIME: 8:00PM

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 - 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 October 23, 2012 approved 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.71-2012

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

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT 95-117 RAVINE AVENUE AND POINT STREET 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 October 5, 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 513 linear feet, more or less, and to replace and install new gas underground facilities and related services at 95-117 Ravine Avenue and Point Street, Yonkers, N.Y. in accordance with Drawing Number S12-69112-1-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, BE IT RESOLVED THAT, 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 513 linear feet, more or less, and to replace and install new gas underground facilities and related services at 95-117 Ravine Avenue and Point Street, Yonkers, N.Y. in accordance with Drawing Number S12-69112-1-WCY.

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SPECIAL ORDINANCE NO.71-2012 (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, NOVEMBER 13, 2012
BY VOTE OF 6-0. COUNCILMEMBER BREEN WAS ABSENT

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SPECIAL ORDINANCE NO.72-2012

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

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT 95-117 RAVINE AVENUE AND POINT STREET 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 October 5, 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 338 linear feet, more or less, and to replace and install new gas underground facilities and related services at 95-117 Ravine Avenue and Point Street, Yonkers, N.Y. in accordance with Drawing Number S12-69112-2-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, BE IT RESOLVED, that 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 338 linear feet, more or less, and to replace and install new gas underground facilities and related services at 95-117 Ravine Avenue and Point Street, Yonkers, N.Y. in accordance with Drawing Number S12-69112-2-WCY.

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SPECIAL ORDINANCE NO.72-2012 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
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BY VOTE OF 6-0. COUNCILMEMBER BREEN WAS ABSENT

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SPECIAL ORDINANCE NO.73-2012

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

A SPECIAL ORDINANCE GRANTING TO VERIZON A PERMIT TO INSTALL A NEW CONDUIT AND RELATED SERVICES ON MARY LOU 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, 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 on Mary Lou Avenue (approximately 630 feet of conduit along Mary Lou Avenue) in accordance with Application Number 988; 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, 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 feet and to install a new conduit and related services on Mary Lou Avenue (approximately 630 feet of conduit along Mary Lou Avenue) in accordance with Application Number 988.

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SPECIAL ORDINANCE NO.73-2012 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
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RESOLUTION NO.125-2012

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

RESOLVED by the City Council of the City of Yonkers, in meeting assembled:

That the settlement by the Corporation Counsel in the amount of Fifteen Thousand Dollars (\$15,000.00) of the action entitled "Keily Montes, an infant under the age of 14 years by her mother and natural guardian Lillian Aponte and Lillian Aponte, Individually, Plaintiff, against the City of Yonkers and City of Yonkers Board of Education, Defendants," for personal injuries sustained by the infant Keily Montes on March 31, 2009 at the Dr, Martin Luther King, Jr. School in Yonkers, New York, be and the same is hereby approved and the Comptroller of the City of Yonkers is directed to draw his warrant in the amount of Fifteen Thousand Dollars (\$15,000.00) in favor of said plaintiff Lillian Aponte and her attorneys Proner and Proner.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 13, 2012 BY VOTE OF 6-0. COUNCILMEMBER BREEN WAS ABSENT

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COMMITTEE REPORTS

THIS MEETING WAS ADJOURNED AT 8:05PM