

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

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

TIME: 8:01PM

PRESENT: PRESIDENT OF THE COUNCIL
 LIAM J. MCLAUGHLIN

DISTRICT:

 6 MAJORITY LEADER JOHN J. LARKIN
 3 MINORITY LEADER MICHAEL R. SABATINO

COUNCIL MEMBERS:
DISTRICT:

 1 CHRISTOPHER A. JOHNSON
 2 CORAZON PINEDA
 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 February 11, 2014 approved on motion of Majority Leader Larkin.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

INDEX

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1. L.L. 1-2014	LOCAL LAW - VETERANS EXEMPTION FOR REAL PROPERTY TAXES	7
2. L.L. 2-2014	LOCAL LAW – “ASSESSMENT AND COLLECTION OF TAXES”	8
3. S.O. 2-2014	SPECIAL ORDINANCE – AMENDING GRANT BUDGET – NYS HOMELAND SECURITY CANINE OFFICER AND ANTI- TERRORISM TRAINING	9/10
4. R.18-2014	RES – ADVICE & CONSENT- DEPUTY COMMISSIONER OF FINANCE ELIZABETH JANOCHA	11
5. R.19-2014	RES – SPECIAL USE PERMIT 842 BRONX RIVER RD. DUNKIN DONUTS	12/13
5A R.20-2014	RES – COMMISSIONERS OF DEEDS	14

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

COMMUNICATIONS FROM CITY OFFICIALS

NONE

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

COMMUNICATIONS - GENERALLY

NONE

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

COMMITTEE OF THE WHOLE

NONE

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

PUBLIC HEARING

Notice is hereby given, pursuant to law, that the City Council of the City of Yonkers, New York will hold a Public Hearing on Tuesday, February 25, 2014 at 8:00 P.M. in the City Council Chambers, 40 South Broadway, Yonkers, New York on the following Local law, to wit:

PROPOSED LOCAL LAW NO.1-2014

A LOCAL LAW AMENDING CHAPTER 15 OF THE CODE OF THE CITY OF YONKERS IN RELATION TO THE VETERANS EXEMPTION FOR REAL PROPERTY TAXES AS AUTHORIZED BY § 458-a (2)(d)(i) OF THE REAL PROPERTY TAX LAW.

SPEAKERS

	<u>NAME</u>	<u>ADDRESS</u>	<u>ITEM NO.</u>
1.	JOHN EARL	17 PHILIPSE PLACE, YONKERS	1
2.	SAM RIDDICK	11 PHILISPSE ROAD, YONKERS	1
3.	WILFREDO AGOSTO	99 FORT HILL AVENUE, YONKERS	1
4.	JOHN SPENCER	YONKERS	1
5.	LOUIS NAVARRO	YONKERS	1
6.	KEN WHALES	SADORE LANE, YONKERS	1
7.	ED KEATING	HUNTINGTON DRIVE, YONKERS	1
8.	KEVIN GORMAN	TIBBETS ROAD, YONKERS	1

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

LOCAL LAW NO.1-2014

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

A LOCAL LAW AMENDING CHAPTER 15 OF THE CODE OF THE CITY OF YONKERS IN RELATION TO THE VETERANS EXEMPTION FOR REAL PROPERTY TAXES AS AUTHORIZED BY § 458-a (2)(d)(i) OF THE REAL PROPERTY TAX LAW.

The City Council of the City of Yonkers, in City Council convened, does hereby enact as follows:

Section 1. Article XI of Chapter 15 of the Code of the City of Yonkers, entitled "Veterans Tax Exemption", is hereby amended, in part, by deleting the terms stricken below to read as follows:

"§15-136. Alternative veterans exemption.

E. The exemption from taxation provided by this section shall be applicable to the taxes levied by the City and shall ~~not~~ include school taxes."

Section 2. This local law shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on and after January 1, 2014.

THIS LOCAL LAW WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 25, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

LOCAL LAW NO.2-2014

2. BY COUNCILMEMBER BREEN, COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA AND SHEPHERD:

A LOCAL LAW AMENDING CHAPTER XVIII OF THE CHARTER OF THE CITY OF YONKERS, ENTITLED "ASSESSMENT AND COLLECTION OF TAXES," SPECIFICALLY § C18-4 IN REGARD TO UNCOLLECTED CHARGES."

BE IT ENACTED, by the City Council of the City of Yonkers, as follows:

Section 1. Section 18-4 of Chapter XVIII the Charter of the City of Yonkers entitled "Uncollected charges." is hereby amended, in part, as follows:

"§ 18-4, Uncollected assessments and charges.

Water rents, water-frontage taxes, sewer rents or charges, charges for making repairs to water-service pipes, expenses of repairing, grading and removal of snow and ice from sidewalks, special assessments owed to the Yonkers South Downtown/Waterfront Business Improvement District and the Yonkers South Broadway Business Improvement District which shall remain unpaid for thirty (30) days after the same shall have become due and payable, shall draw interest at the rate of fifteen per centum (15%) per annum until paid or inserted in the city tax roll. After having been inserted in the annual city tax roll against real property, they become part of the annual city tax upon the respective lots or parcels of land against which such items are charged, and the whole thereof becomes one (1) tax and must be collected as such, except that the Commissioner of Finance may in his or her discretion receive the annual tax upon the lot or parcel of land without some or all of the amounts added thereto."

Section 2. This local law shall take effect immediately.

THIS LOCAL LAW WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 25, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

SPECIAL ORDINANCE NO.2-2014

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

A SPECIAL ORDINANCE AUTHORIZING THE EXECUTION OF A NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES GRANT AND AMENDING THE CITY OF YONKERS GRANT BUDGET FOR FISCAL YEAR 2013/2014.

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

Section 1: The New York State Division of Homeland Security and Emergency Services has selected the City of Yonkers for canine officer and anti-terrorism training for the department.

Section 2. This grant in the amount of \$20,000 will be received by the City of Yonkers, and the Project Number is CP13-1008-E00.

Section 3. The Mayor of the City of Yonkers, or his designee, is hereby authorized to execute such agreement, for a term of November 12, 2013 to August 31, 2015, in order to provide such funds to the Police Department of the City of Yonkers, with no matching funds to be provided by the City of Yonkers.

Section 4. The City's Grant Budget for fiscal year 2013/2014 is hereby amended by increasing revenues and appropriations for the Police Department.

Increase Estimated Revenues

New York State Division of Homeland Security and Emergency Services Award	\$20,000.00
---	-------------

Increase Estimated Expenses

Overtime	Project CP13-1008-E00	\$ 9,260.00
Equipment	Project CP13-1008-E00	\$ 8,675.00
Fringe Benefits	Project CP13-1008-E00	\$ 740.00
Telephone	Project CP13-1008-E00	\$ 825.00
Travel Reimbursement	Project CP13-1008-E00	\$ 500.00

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

SPECIAL ORDINANCE NO.2-2014 (CONTINUED)

Section 5: The unencumbered balance of such appropriation equals or exceeds the estimated expenditures the City requires for such purpose during the remainder of the budget year.

Section 6: This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 25, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

RESOLUTION NO.18-2014

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

WHEREAS, Mayor Mike Spano has appointed Elizabeth Janocha to be Deputy Finance Commissioner in the Finance Department of the City of Yonkers; and

WHEREAS, the Deputy Finance Commissioner designee has approximately 20 years of progressive financial services experience in both the public and private sectors, with increasing responsibilities with each financial services assignment; and

WHEREAS, the Deputy Finance Commissioner designee has all of the qualifications, training, and experience to assist in the guidance, management and leadership in the Finance Department of the City of Yonkers; and

WHEREAS, the Charter of the City of Yonkers requires for this appointment a waiver of Section 2-8 be granted; and

WHEREAS, pursuant to the Charter of the City of Yonkers, the appointment of the Deputy Finance Commissioner 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 Elizabeth Janocha as Deputy Finance Commissioner and in doing so, the waiver required by Section 2-8 of the Yonkers City Charter be granted; and

NOW, THEREFORE, BE IT RESOLVED, that the Yonkers City Council hereby gives its advice and consent to the appointment of Elizabeth Janocha as Deputy Finance Commissioner; 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 25, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

RESOLUTION NO.19-2014

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

SPECIAL USE PERMIT AND SITE PLAN REVIEW FOR A PROPOSED 24 HOUR SPECIAL USE PERMIT AT BLOCK 5257, LOT 7 ON THE PROPERTY KNOWN AS 842 BRONX RIVER ROAD (DUNKIN DONUTS) PURSUANT TO ARTICLE VII SECTION 43-74 (A) (TO OPERATE BETWEEN THE HOURS OF MIDNIGHT AND 6:00 AM) AND ARTICLE IX OF THE YONKERS ZONING ORDINANCE.

WHEREAS, the owner of the property located at 842 Bronx River Road, more properly known as Block 5257, Lot 7 on the Tax Assessment Map of the City of Yonkers has submitted an application for a Site Plan Review and a Special Use Permit for the operation of a 24-hour Dunkin Donuts to the Planning Board which was approved by the Planning Board in accordance with Article VII and Article IX of the Zoning Code of the City of Yonkers; and

WHEREAS, upon review of the application and the record, this City Council believes it to be in the best interest of the City of Yonkers to grant said application.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers, in meeting assembled, that the proposed Site Plan and Special Use Permit should be granted; and be it further

RESOLVED, that upon the record and findings of the Planning Board, with respect to the application submitted the property owner, for a Site Plan Review and Special Use Permit, for the operation of a 24 hour Dunkin Donuts at Block 5257, Lot 7 on the Tax Assessment Map of the City of Yonkers, on the property known as 842 Bronx River Road, Yonkers, New York, pursuant to Article VII and Article IX of the Zoning Code of the City of Yonkers, the decision and actions of the Planning Board of the City of Yonkers are hereby approved, and this approval is subject to the conditions set forth in the decision of the Planning Board, which includes but is not limited to: (1) All improvements made to this site shall remain in full force and effect as long as the site remains occupied; and (2) The applicant must maintain the site, including the pick up and removal of litter, the landscaping and dumpster area; and (3) The Planning Board and City Council reserve the right to revisit this authorization should the 24 hour use become a nuisance. All of the conclusions, findings and conditions of the January 15, 2014, Planning Board resolution are hereby referenced to and made a part hereof; and be it further

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

RESOLUTION NO.19-2014 (CONTINUED)

RESOLVED, that this Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A
STATED MEETING HELD ON TUESDAY, FEBRUARY 25, 2014 BY A
VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

RESOLUTION NO.20-2014

- 5A. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PENEDA, 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 March 31, 2016

Patricia A. Urban
76 Rosedale Avenue
Yonkers, New York 10706

Assistant Manager

NEW

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, FEBRUARY 25, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

COMMITTEE REPORTS

THIS MEETING WAS ADJOURNED AT 8:39PM