

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MAY 13, 2014

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

TIME: 8:20PM

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 April 22, 2014 approved on motion of Majority Leader Larkin.

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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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GENERAL ORDINANCE NO.2-2014

NO. 1 BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A GENERAL ORDINANCE GENERALLY AMENDING CHAPTER 31 OF THE YONKERS CITY CODE IN REGARD TO THE USE OF DECALS FOR HOME IMPROVEMENT BUSINESSES.

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

Section 1. That Chapter 31 of the Code of the City of Yonkers, more commonly known as the Consumer Protection Code of the City of Yonkers is hereby generally amended and revised in part, by amending Article XIV entitled "Home Improvement Business and Contracts", Section 31-132 entitled "License; display; renewals; duplicates." by adding a new subdivision "G" to read, in part, as follows:

"Section 31-132. License; display; renewals; duplicates; decals; display.

G. Each Licensee shall receive, affix and display on the left fender of each vehicle and on the left rear fender of any trailer regularly used in the course of its business, an identification decal issued by the Office of Licensing. Three decals shall be issued for each license. Additional decals for vehicles registered to the license and used for the purposes as described under this Article may be obtained from the Office of Licensing for an additional fee of ten dollars (\$10) per decal. "

Section 2. This Ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 13, 2014 BY A VOTE OF 7-0.

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SPECIAL ORDINANCE NO.7-2014

NO. 2 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 GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR TRAFFIC SAFETY ENFORCEMENT GRANT AND AMENDING THE CITY OF YONKERS GRANT BUDGET FOR FISCAL YEAR 2013/2014.

The City of Yonkers hereby ordains and enacts:

Section 1. The New York State Governor's Traffic Safety Committee acting through Westchester County Traffic Safety has selected the City of Yonkers to receive a grant for overtime salaries to increase traffic safety enforcement, in an amount not to exceed \$20,000. under the Fiscal Year 2014 Police Traffic Services Grant Program in order to reduce crashes, fatalities and injuries by targeting speeding, aggressive or distracted driving, pedestrian and motorcycle violation and passing stop school buses.

Section 2. The Mayor of the City of Yonkers, or his designee, is hereby authorized to execute such Grant Agreement, for a term from October 1, 2013 to September 30, 2014, in order to provide such funds to the Police Department of the City of Yonkers, with no matching funds required by the grantor.

Section 3. 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

| | |
|---|----------|
| Award NYS Governor's Traffic Safety Committee | \$20,000 |
|---|----------|

Increase Estimated Expenses

| | |
|----------------------------|-------------------|
| Project FY2014 PTS Program | Overtime \$20,000 |
|----------------------------|-------------------|

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SPECIAL ORDINANCE NO.7-2014 (CONTINUED)

Section 4. This special ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
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SPECIAL ORDINANCE NO.8-2014

NO. 3 BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE AUTHORIZING THE COMMISSIONER OF FINANCE TO ASSIGN TAX LIEN #146720 AFFECTING LOT 31 IN BLOCK 4820 (75 ALPHA STREET, YONKERS, NEW YORK)

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

Section 1. The Commissioner of Finance is hereby authorized pursuant to §19-4 of the City Charter to execute, on behalf of the City, and deliver an assignment of Tax Lien # 146720 to Robert & Katherine Venice, 20 Chestnut Street, Yonkers, New York 10707 (or their designee) upon the receipt of the sum of ONE HUNDRED FIFTY SIX THOUSAND EIGHT HUNDRED THIRTY-TWO AND 87/100 (\$ 156,832.87) representing the amount of said lien, tax arrears and interest accrued (see attached) affecting property known as Lot 31, Block 4820 (75 Alpha Street. Yonkers, New York) plus any additional interest accrued until date of assignment.

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 13, 2014 BY A VOTE OF 7-0.

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RESOLUTION NO.48-2014

NO. 4 BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN,
MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA,
SHEPHERD AND BREEN:

WHEREAS, throughout our history, courageous men and women have donned the uniform of our Armed Forces and built a tradition of faithful and dedicated service to our Nation; and

WHEREAS, we can never fully repay our debt of gratitude to those heroic men and women who fought and those who paid the ultimate sacrifice of their lives; and

WHEREAS, the State of New York could, however, recognize all veterans by allowing them to access the Veterans Service Credit Buy Back Law; and

WHEREAS, currently, the Veterans Service Credit Law of 2000 allows public employees who served in the military only during specific conflicts to purchase up to three years credit for their military service; and

WHEREAS, Assembly Bill A.6974-A (Paulin) and Senate Bill S.4717-A (Larkin), if passed, would not only continue to provide service credit those who served during conflict but would also provide service rendered even during peace times; now, therefore, be it

RESOLVED, that the City of Yonkers strongly supports the passage of this legislation; and, be it further

RESOLVED, that copies of this resolution, suitably engrossed, be transmitted to Governor Andrew Cuomo, State Senator Andrea Stewart-Cousins, Senator George Latimer, State Assemblyman J. Gary Pretlow and Assemblywoman Shelley Mayer.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 13, 2014 BY A VOTE OF 7-0.

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RESOLUTION NO.49-2014

NO. 5 BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

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

That the settlement by the Corporation Counsel in the amount of EIGHTY THOUSAND DOLLARS AND NO CENTS (\$80,000.00) of the action entitled, "NADRIA HOLLIS residing at 162 Willow Street – Apt 2R, Yonkers, New York, plaintiffs against THE CITY OF YONKERS, Defendant", for personal injuries arising out of an alleged accident alleging that a pedestrian knock-down involving a YPD vehicle on January 17, 2012, be and the same hereby is approved and the Comptroller of the City of Yonkers is directed to draw his warrant in the amount of EIGHTY THOUSAND DOLLARS (\$80,000.00) in favor of said plaintiffs and her attorneys, Shafran , Mosely, P.C., 44 Church Street, White Plains, New York 10601.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 13, 2014 BY A VOTE OF 7-0.

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RESOLUTION NO.50-2014

NO. 6 BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, 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 June 30, 2016

Anne Murphy
18Railroad Avenue
Yonkers, New York 10703

Clerk 1

RENEWAL

Shannon Elizabeth McGovern
229 Morsemere Avenue
Yonkers, New York 10703

Clerk 2

RENEWAL

George Wislocki
32 Dehaven Drive Apt. 1E
Yonkers, New York 10703

Account Clerk

RENEWAL

Constance M. DiMaggio
26 Homewood Avenue
Yonkers, New York 10701

Secretary/Clerk

RENEWAL

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RESOLUTION NO.50-2014 (CONTINUED)

Joseph Giordano Jr.
2 Montague Street
Yonkers, New York 10703

Terminal Manager

NEW

Maria Sonaly Caro
595 North Broadway
Yonkers, New York 10701

Safety Director

NEW

Yesenia Almodovar
51 Garfield Street 2nd Floor
Yonkers, New York 10701

Office Manager

NEW

Vincent Spano
682 Tuckahoe Road, 6H
Yonkers, New York 10710

City Clerk

RENEWAL

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A
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RESOLUTION NO.51-2014

NO. 7 BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

WHEREAS, Mayor Mike Spano has appointed Adelia S. Landi, to the Planning Board of the City of Yonkers, for a three-year term which expires on December 31, 2016; and

WHEREAS, Adelia S. Landi, is a longtime Yonkers resident and homeowner and has many years of experience in serving the citizens of this City; and

WHEREAS, pursuant to the Charter of the City of Yonkers, the appointment of a member of the Yonkers Planning Board 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 approve the appointment of Adelia S. Landi to the Yonkers Planning Board; and

NOW, THEREFORE, BE IT RESOLVED, that the Yonkers City Council hereby gives its advice and consent to the appointment of Adelia S. Landi; 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, MAY 13, 2014 BY A VOTE OF 7-0.

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RESOLUTION NO.52-2014

NO. 8 BY MINORITY LEADER SABATINO, COUNCIL PRESIDENT
MCLAUGHLIN, MAJORITY LEADER LARKIN, COUNCILMEMBERS
JOHNSON, PINEDA, SHEPHERD AND BREEN;

RESOLUTION CALLING UPON THE CITY OF YONKERS TO SUPPORT
STATE EFFORTS TO PASS LEGISLATION THAT WILL INCREASE
SAFETY STANDARDS ON CARBON MONOXIDE

WHEREAS, Carbon Monoxide gas is odorless, is odorless,
colorless, otherwise undetectable to the human senses, and highly
poisonous; and

WHEREAS, Carbon Monoxide is a gas that is a byproduct of
combustion reactions; and

WHEREAS, Carbon Monoxide emitting devices are commonplace
in buildings; and

WHEREAS, recently, a Carbon Monoxide leak tragically killed a
Huntington, NY restaurant manager and sickened nearly 30 people; and

WHEREAS, there are numerous unintentional human fatalities
caused by Carbon Monoxide gas every year; and

WHEREAS, fatalities by Carbon Monoxide are terrible tragedies
that are easily preventable with the employment of Carbon Monoxide
Detectors; and

WHEREAS, Carbon monoxide poisoning is an important public
health problem and the government must do what it can to prevent such
needless deaths; and

WHEREAS, the Legislature of the State of New York is seeking to
impose stronger regulations requiring the use of Carbon Monoxide
Detectors in all commercial buildings within the State of New York; and

WHEREAS, New York State laws are currently severely inadequate
for requiring Carbon Monoxide detectors;

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RESOLUTION NO.52-2014 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Yonkers supports any measures to be taken by the New York State Legislature to require the use of Carbon Monoxide detectors as a means of preventing fatalities from Carbon Monoxide Poisoning.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 13, 2014 BY A VOTE OF 7-0.

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RESOLUTION NO.53-2014

NO. 9 BY MINORITY LEADER SABATINO, COUNCIL PRESIDENT
MCLAUGHLIN, MAJORITY LEADER LARKIN, COUNCILMEMBERS
JOHNSON, PINEDA, SHEPHERD AND BREEN;

WHEREAS, in 2008, the City of Yonkers officially designated the immediate buildings around Philipse Manor Hall as the Philipse Manor Hall Historic District; and

WHEREAS, the District provides historic context to the Philipse Manor Hall State Historic Landmark; and

WHEREAS, special recognition is due to the local preservation advocates who instead of allowing the demolition of the buildings for an affordable housing project, successfully established the historic relevance of the buildings and successfully got the City to designate the District; and

WHEREAS, the City worked with L+M Development Partners to build the necessary affordable housing, called the Warburton Lofts without compromising the District; and

WHEREAS, the \$10 million development of the property includes seven to 10 residential units, marketed to moderate-income households with incomes no higher than 80 percent of the Westchester County median income; and at least 9,000 square feet of ground-level retail space; and

WHEREAS, the restoration of this row has reversed the economic decline of the neighborhood and fostered a new sense of community pride; and

WHEREAS, the Preservation League of New York State recently announced that it had selected the Warburton Lofts at Philipse Manor Hall Historic District in Yonkers to receive its award for *Excellence in Historic Preservation*; and

WHEREAS, Yonkers is the only award winner from lower Hudson Valley; and

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RESOLUTION NO.53-2014 (CONTINUED)

WHEREAS, The League's statewide awards program honors notable achievements in retaining, promoting and reusing New York's architectural heritage; and

WHEREAS, the award will be presented at its annual meeting May 14 in New York City at the New York Yacht Club; and

THEREFORE, BE IT RESOLVED, that the Yonkers City Council hereby recognizes the efforts of both preservation and affordable housing advocates such as Deirdre Hoare Rylander, Nortrud Spero, Rob Hothan, Terry Joshi, Barrymore Scherer and the larger community of Yonkers residents, who came together with the City to create a development that is an economic stimulus for our downtown; and

FURTHER RESOLVED, that the City is deeply appreciative to the New York League of Preservation for honoring the Warburton Lofts and the Philipse Manor Hall Historic District.

THIS RESOLUTION WAS ADOPTED AS AMENDED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MAY 13, 2014 BY A VOTE OF 7-0.

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COMMITTEE REPORTS

THIS MEETING WAS RECESSED at 8:22PM AND RECONVENED AT 9:24PM.
THIS MEETING WAS ADJOURNED AT 9:32PM