

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

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

TIME: 10:05PM

PRESENT:           PRESIDENT OF THE COUNCIL  
                      CHUCK LESNICK

DISTRICT

2	MAJORITY SANDY ANNABI
4	MINORITY LEADER LIAM J. McLAUGHLIN

COUNCIL MEMBERS:  
DISTRICT:

1	PATRICIA D. McDOW
3	JOAN GRONOWSKI
5	JOHN M. MURTAGH
6	DEE BARBATO

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 14, 2009 approved on motion of Majority Leader Sandy Annabi.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

INDEX

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1. R - 57-2009	SECTION 108 LOAN (\$4,260,258) URBAN RENEWAL AREA	6/7
2. R - 58-2009	HOME RULE - INCOME TAX SURCHARGE	8
3. R - 59-2009	HOME RULE - MORTGAGE RECORDING TAX	9
4. R - 60-2009	HOME RULE - BONDS AND NOTES	10
5. R - 61-2009	HOME RULE - YONKERS TOLL PLAZA	11/12
6. R - 62-2009	HOME RULE - AGENCY ON THE AGING	13
7. R - 63-2009	HOME RULE - YKS DETENTION OFFICERS	14/15
8. OVER	RES -GRANT - RESTORE NY (5-7 MAIN STREET)	16/17
9. R - 64-2009	SETTLEMENT - PALMA RITI (\$2,886.10)	18
10. R - 65-2009	SETTLEMENT - HERNANDEZ (\$3,500.00)	19
11. R - 66-2009	COMMISSIONERS OF DEEDS	20/21
12. R - 67-2009	AMEND CIVIL RIGHTS LAW - CO-OP'S	22/23
13. R - 68-2009	ALZHEIMER'S AWARENESS MONTH	24/25
14. R - 69-2009	BANNER - RELAY FOR LIFE	26
15. R - 70-2009	BANNER - PROPHET ELIAS	27
16. R - 71-2009	BANNER - ST. BARTHOLOMEW CHURCH	28
17. R - 72-2009	HONORARIUM - AUTISM AWARENESS	29/30

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**COMMUNICATIONS**

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**COMMITTEE OF THE WHOLE**

**SPEAKERS**

<b><u>NAME:</u></b>	<b><u>ADDRESS</u></b>	<b><u>ITEM NO.:</u></b>
1. Amy Conforti	Thera Care	13

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**PUBLIC HEARING**

A PUBLIC HEARING TO DISCUSS TWO GRANT PROPOSALS FOR CONSIDERATION BY THE NEW YORK STATE EMPIRE STATE DEVELOPMENT CORPORATION'S RESTORE NY PROGRAM.

PROPOSAL1: TO RESTORE AND REHABILITATE PORTIONS OF THE PHILIPSE MANOR HISTORIC DISTRICT.

PROPOSAL 2: TO RESTORE AND REHABILITATE THE FORMER CITY LIBRARY AT 5-7 MAIN STREET, BLOCK: 2003: 37 OWNED BY THE YONKERS COMMUNITY DEVELOPMENT AGENCY.

THIS PUBLIC HEARING WAS RECESSED UNTIL THURSDAY APRIL 30, 2009 AT 5:00PM

**SPEAKERS**

**NAME:**

**ADDRESS**

- |                        |                      |
|------------------------|----------------------|
| 1. Margaret Setterholm | 146 Warburton Avenue |
| 2. Deirdre Rylander    | 16 Cross Street      |

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.57-2009**

1. BY COUNCIL PRESIDENT LESNICK, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, MURTAGH AND BARBATO:

A RESOLUTION AUTHORIZING THE CITY OF YONKERS TO LEND \$4,260,258 MILLION THROUGH THE SECTION 108 PROGRAM TO SFC CAPITAL LLC. FOR THE DEVELOPMENT OF THE MODIFIED URBAN RENEWAL AREA FOR N.D.P. AREA 1 AND AREA 2 AND THE GETTY SQUARE URBAN RENEWAL AREA

WHEREAS, The Housing and Community Development Act of 1974 created a loan guarantee provision of the Community Development Block Grant (“CDBG”); and

WHEREAS, Section 108 provides communities with a source of financing for housing rehabilitation, economic development, and neighborhood revitalization projects which cannot be funded through annual CDBG grants; and

WHEREAS, the City of Yonkers is permitted to borrow up to five times the annual CDBG entitlement amount from U.S. Department of Housing and Urban Development (“HUD”) to finance CDBG eligible projects; and

WHEREAS, the City of Yonkers has administered a Section 108 loan program since 1995 and has received approval to borrow up to \$22,700,000 to re-lend to third party borrowers to create jobs and eliminate blight in the City of Yonkers; and

WHEREAS, the SFC NEWCO, LLC. is a joint venture formed by The Fidelco Group and Cappelli Enterprises that are engaged in advancing job opportunities and the economic welfare of the people of the City of Yonkers and are proposing to develop a portion of the Modified Urban Renewal Plan for N.D.P. Area 1 and Area 2 and the Getty Square Urban Renewal Area to create a Mixed Use Urban Redevelopment Project (herein, the “Project”) as specifically granted pursuant to a Master Developer Designation Agreement dated May 17, 2006; and

WHEREAS, the City of Yonkers’ Office of Economic Development has reviewed the Project and found that the Project meets the national

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.57-2009 (CONTINUED)**

objectives and underwriting standards for the program, including the HUD requirement that the project generate a minimum of 122 new jobs, and has also found that the complete build out of the Project will create up to 5,397 permanent jobs but no less than 1,250 permanent jobs of which 51% will be made available to low to moderate income persons.

WHEREAS, the City of Yonkers is required to submit a separate Section 108 application to HUD to request approval for borrowing the \$4,260,258 million; in connection with the Project; and

WHEREAS, the City of Yonkers may de-obligate its existing Section 108 loan funds leveraging the additional Section 108 loans ; and

NOW, THEREFORE BE IT RESOLVED, that the City of Yonkers is authorized to increase its borrowing authority under the Housing and Community Development Act of 1974 and from HUD and is authorized to submit an application to HUD for Section 108 Loan Guarantee Funds in an amount not to exceed \$4,260,258 million; and be it further

RESOLVED, that the Mayor or Deputy Mayor be authorized to execute and file all necessary documents with HUD to effectuate this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

A NUMBER OF FRIENDLY AMENDMENTS WERE PROPOSED AND ARE INCLUDED IN THE ABOVE RESOLUTION.

THIS RESOLUTION WAS ADOPTED AS AMENDED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A ROLL CALL VOTE OF 5-2. MAJORITY LEADER ANNABI AND COUNCILMEMBER GRONOWSKI VOTING NAY.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.58-2009**

2. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the City of Yonkers currently imposes an Income Tax Surcharge and a Non-Resident Earnings tax authorized pursuant to Article 30A of the Tax Law of the State of New York; and

WHEREAS, said authorization is scheduled to terminate on December 31, 2009 unless said date is extended; and

WHEREAS, a necessity continues to exist for the revenues generated by the income tax surcharge and the non-residents earnings tax in order to balance the budget in future fiscal years; and

WHEREAS, Senate Bill No. S. 3335 and Assembly Bill No. A. 7530 have been introduced into the New York State Legislature for the purpose of extending the income tax surcharge and the non-resident earnings tax for a period of two years.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Yonkers hereby issues this Home Rule Request Message for Senate Bill No. S. 3335 and Assembly Bill No. A. 7530 to amend Article 30A of the New York State Tax Law to extend the termination date of the income tax surcharge and the non-resident earnings tax until December 31, 2011 to allow the continuation of these necessary revenues; and

BE IT FURTHER RESOLVED, that the City Council requests the City Clerk to forward a copy of this Home Rule Request Message to the Legislature of the State of New York requesting the passage of the aforesaid bills.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL, 28 2009 BY A VOTE OF 7-0.



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.59-2009**

3. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the City of Yonkers currently receives revenue from a Mortgage Recording Tax, the imposition of which is authorized under New York State Tax Law, Article 11, Section 253-d, and

WHEREAS, this Mortgage Recording Tax provides supplemental revenue to the City of Yonkers at a rate of nearly \$2.9 Million per budget year, and

WHEREAS, this Mortgage Recording Tax is set to expire by operation of law on August 31, 2009, unless said date is extended, and

WHEREAS, should the Mortgage Recording Tax expire, the loss of such revenue at this time will result in a gap between the revenue and expenditures of the City of Yonkers; and

WHEREAS, Senate Bill No. S. 3334 and Assembly Bill No. A. 7531 have been introduced into the New York State Legislature for the purpose of extending said authorization.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Yonkers hereby issues this Home Rule Request Message for Senate Bill No. S. 3334 and Assembly Bill No. A. 7531 to amend Section 253-d of Article 11 of the New York State Tax Law to extend until August 31, 2011, the Mortgage Recording Tax of the City of Yonkers; and

BE IT FURTHER RESOLVED, that the City Council requests the City Clerk to forward a copy of this Home Rule Request Message to Legislature of the State of New York requesting the passage of the aforesaid bills.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.60-2009**

4. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the authorization for the City of Yonkers to negotiate the private sale of its bonds and notes is vital to improving the City's financial stability and independence, and

WHEREAS, the continuance of this power will allow more cost-effective financing of the City's debt, and

WHEREAS, the City's bonding authority will expire on June 30, 2009 unless it is extended one year, and

WHEREAS, Senate Bill No. S. 3336 and its companion bill, Assembly Bill No. A. 7655 have been introduced into the New York State legislature, and

WHEREAS, these bills will permit the private sale of bonds or notes by the City of Yonkers, subject to the approval of the State Comptroller, and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Yonkers hereby declares that the enactment of S. 3336 and A. 7655 are in the best interests of the City and is essential to improving the city's financial stability and independence, and

BE IT FURTHER RESOLVED, that the City Council requests the City Clerk to forward a copy of this Home Rule Request Message to the Legislature of the State of New York requesting the passage of the aforesaid bills.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.61-2009**

5. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the discontinuation of the Yonkers toll plaza on the New York State Thruway will relieve a significant amount of traffic congestion that occurs on a daily basis at and around the site of the current toll plaza, and

WHEREAS, the discontinuation will ensure that the residents of Westchester County are not unfairly disadvantaged vis-à-vis the residents of Rockland County where the Spring Valley toll plaza was removed several years ago, and

WHEREAS, the discontinuation of the Yonkers toll plaza will also allow the City of Yonkers to help maintain its competitive shopping edge, and

WHEREAS, Assembly Bill A. 5360 (sponsored by Member of Assembly Spano and co-sponsored by Members of Assembly Brodsky and Pretlow) and its companion bill, Senate Bill S. 4287 (sponsored by Senator Stewart-Cousins) have been introduced into the New York State legislature, and

WHEREAS, when adopted and signed into law these bills will direct the New York State Thruway Authority to discontinue and remove the Yonkers toll plaza on the New York State Thruway.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Yonkers hereby declares that the enactment of A. 5360 and S. 4287 are in the best interests of the City of Yonkers, its residents and the residents of Westchester County, and

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.61-2009 (CONTINUED)**

BE IT FURTHER RESOLVED, that the City Council requests the City Clerk to forward a copy of this Home Rule Request Message to the Legislature of the State of New York requesting the passage of the aforesaid bills.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.62-2009**

6. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the designation of an area agency on aging pursuant to the 1965 federal Older Americans act would give Yonkers the ability to receive direct funding for programs for the aging, and

WHEREAS, this funding has traditional been allocated by a county area agency on the aging, many of which are agencies for counties with a population significantly smaller than the City of Yonkers, and

WHEREAS, Assembly Bill A. 5451 (sponsored by Member of Assembly Spano) and its companion bill, Senate Bill S. 4288 (sponsored by Senator Stewart-Cousins) have been introduced into the New York State legislature, and

WHEREAS, when adopted and signed into law these bills will allow Yonkers to be designated area agency on aging and, thereby, would allow the City of Yonkers, which contains a growing population of senior citizens, to receive an increase in funding and available programs for this important population group.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Yonkers hereby declares that the enactment of A. 5451 and S. 4288 are in the best interests of the City of Yonkers, especially its ever-growing population of senior citizens, and

BE IT FURTHER RESOLVED, that the City Council requests the City Clerk to forward a copy of this Home Rule Request Message to the Legislature of the State of New York requesting the passage of the aforesaid bills.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.63-2009**

7. BY COUNCILMEMBER McDOW, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, , COUNCILMEMBERS, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the Yonkers Detention Officers are a small unit comprised of 23 officers, supervisors included that are Peace Officers who supervise and maintain order in Yonkers Penal holding facilities, and

WHEREAS, while Detention Officers in Yonkers complete tasks similar to what Police Officers complete in other municipalities, they do not have similar protections when it comes to hazardous conditions, on-the-job injury and disability, and

WHEREAS, New York State Bill Numbers A2520 (Pretlow) and S3928 (Cousins) would grant Detention Officers parity with other law enforcement agencies for hazards and injuries that they experience while in the line of duty, and

WHEREAS, this legislation allows for the payment of the full amount of salary or wages to a Detention Officer during an on-the-job disability or sickness and related expenses for medical treatment and/or hospital stay, shall be paid by the municipality by which they are employed with and

WHEREAS, this legislation was place in General Municipal Law on April 7, 2009 through corresponding Senate sponsor number, which was recently released as S3928 (Cousins)

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby resubmits this Home Rule Message to the New York State Legislature in support of Assembly Bill Number A2005 (Pretlow) and State Bill Number S-3928 (Cousins) to amend the related general municipal law to include disability coverage for Yonkers Detention Officers.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

RESOLUTION NO.63-2009 (CONTINUED)

BE IT FURTHER RESOLVED, that the City Council directs the City Clerk to forward certified copies of this Home Rule Message to the Yonkers delegation to the New York State Legislature.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

RESOLUTION

8. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the City of Yonkers is eligible to apply for up to Ten Million Dollars (\$10,000, 000.) in grant funds from the RESTORE NY Communities Initiative and by the application demonstrate qualifications for the grant and request the full amount it is eligible for; and

WHEREAS, the RESTORE NY Communities Initiative requires that any municipalities who receive grants provide matching contributions of no less than ten percent (10%) of the aggregate amount awarded for each grant; and

WHEREAS, the City of Yonkers' matching contributions may consist of grants from other federal, state and local entities which will be used to provide the matching contributions required should the RESTORE NY Communities Initiative grants be awarded; and

WHEREAS, the project consist of the restoration and rehabilitation of the former Library at 5-7 Main Street; and

WHEREAS, the public notice for the public hearing for the project proposal was noticed in the local daily newspaper for three consecutive days, April 20, April 21, and April 22, 2009, which included the property assessment list for all affected properties in the proposal: and

WHEREAS, the project proposed as described in the attached application for the RESTORE NY Communities Initiative are consistent with many of the goals in the Yonkers existing Comprehensive Plan, *Connections*, adopted in 2000, the proposed financing is appropriate for the implementation of the specific project as described in the application and the project described therein facilitate effective and efficient use of public and private resources so as to promote economic development, preserve community resources, and develop and enhance the neighborhoods and surrounding communities, including the infrastructure of said communities in such a way as to attract, create and sustain employment opportunities in the affected areas and in the City in general; and;



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION (CONTINUED)**

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers hereby authorizes the Mayor to make a grant application for available funding under the RESTORE NY Communities Initiative to which the City shall apply for the maximum amount available for the former Main Street Library and be it further

RESOLVED, that this resolution shall take effect immediately,

THIS RESOLUTION WAS PUT OVER TO A SPECIAL MEETING TO BE HELD APRIL 30, 2009 AT 5:00PM.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.64-2009**

9. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

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

That the settlement by the Corporation Counsel in the amount of TWO THOUSAND EIGHT HUNDRED EIGHTY SIX and 10/100 (\$2,886.10) of the action entitled ALLSTATE INS. CO. A/S/O PALMA RITI, Plaintiff against City of Yonkers, as Defendant, for property damage resulting from an alleged accident when a City fire truck hit her parked vehicle at 123 Linden Street, Yonkers hereby is approved and the Comptroller of the City of Yonkers is directed to draw his warrant in the amount of TWO THOUSAND EIGHT HUNDRED EIGHTY SIX and 10/100 (\$2,886.10) in favor of said plaintiff.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.65-2009**

10. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

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

That the settlement by the Corporation Counsel in the amount of three thousand five hundred dollars (\$3,500.00) of the action entitled, "Diomedes Hernandez, et al, (residing at 5 Livingston Avenue, Valhalla, New York 10595) plaintiffs against The City of Yonkers, et al, Defendants", arising out of an incident alleging false arrest on October 22, 2005, 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 three thousand five hundred dollars (\$3,500.00) in favor of said plaintiffs and their attorney Lawrence E. Wright, 32 Court Street, Suite 707, Brooklyn, New York 11201.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

RESOLUTION NO.66-2009

11. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

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 May 31, 2011

Richard Barbato  
211 Pembroke Drive  
Yonkers, New York 10710

Westchester County

RENEWAL

Laura Fahrenthold  
797 N. Broadway  
Yonkers, New York 10701

City of Yonkers

NEW

Adam Brill  
107B Fiddler Green Road  
Stamford, Ct. 06614

City of Yonkers

NEW

Margaret E. Silby  
76 Huber Place  
Yonkers, New York 10701

Retired

NEW

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.66-2009 (CONTINUED)**

Jennifer Williams  
538 Riverdale Avenue  
Yonkers, New York 10705

Law Office

NEW

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.67-2009**

12. BY MAJORITY LEADER ANNABI, COUNCIL PRESIDENT LESNICK, COUNCILMEMBERS McDOW AND GRONOWSKI:

Whereas, the City of Yonkers has numerous Cooperative apartment corporations within its limits, and

Whereas, Cooperative apartment corporations currently are not required to inform prospective purchasers of the reasons for their rejection, and

Whereas, as a result, many prospective cooperators are arbitrarily and discriminatorily rejected, and

Whereas, Assembly Bill A.1211 (with companion Bill S.3132) would amend Civil Rights Law S-19-A to require a cooperative apartment corporation to provide a prospective purchaser with a written statement of reasons whenever the corporation withholds its consent to the sale of the corporation's stock, and

Whereas, the State Assembly's Governmental Operations Committee and the Senate's Code Committee have reviewed similar bills in calendar years 2007 and 2008, and

Whereas, the State Assembly's Governmental Operations Committee has reviewed similar bills in 2004 and in 2006, and

Whereas, passage of a bill which enacts such disclosure requirements would greatly serve the public good and restore a measure of good faith and confidence to the real estate market and contribute greatly to the attainment of many the dream of many prospective home owners.

Therefore be it resolved, that the Yonkers City Council hereby expresses support for this bill, or a bill which enacts similar disclosure requirements for applicants who are refused by cooperative boards;

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.67-2009 (CONTINUED)**

Be it further resolved, that the City Clerk shall forward copies of this approved resolution to our State Legislators, and to the Assembly's Governmental Operations Committee.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A ROLL CALL VOTE OF 4-3. MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS MURTAGH AND BARBATO VOTING NAY.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.68-2009**

13. BY COUNCILMEMBER McDOW, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, Yonkers is the 4<sup>th</sup> largest City in the State of New York and the largest city in the County of Westchester, with the fastest growing population of seniors living within its city, and

WHEREAS, a recent incident involving an Alzheimer's patient has brought to the forefront the need for services and/or training by our police and emergency services personnel

WHEREAS, the Police Department and related City Agencies don't currently have policy and training for employees who may encounter individuals who are confused and/or disoriented, and

WHEREAS, according to the national statistic 5.3 million people in the United States are living with Alzheimer's, and

WHEREAS, it is estimated that every 70 seconds, someone develops Alzheimer's, of that number, 200,000 people between 30-40 years of age have early onset of the disease. All though this disorder is associated with seniors, adults are also afflicted; as a result the related policy and training should encompass both groups, and

WHEREAS, in light of this trend and lack of a cure, it is necessary for our police and emergency services personnel to have available training and an increased awareness of the problem so that they can properly respond to the needs of our residents

WHEREAS, the State of California has established "The Elder I.D. Program" to facilitate the compassionate handling of persons afflicted with senility, dementia, Alzheimer's disease, or other similar challenges, and which would ensure that correct procedures are followed by all agencies responding to a person who appears to be "confused" or "disoriented" and wandering in the community and may not be able to provide their name and address, and



**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.69-2009 (CONTINUED)**

NOW, THEREFORE, BE IT RESOLVED. that website links listing support groups for patients and caregivers, related agencies that handle this disease, FYI(s) should be established on the City, Office of the Aging, Police and Park and Recreation sites and any other sites deemed appropriate.

BE IT FURTHER RESOLVED, that the City Council of the City of Yonkers requests that the County of Westchester working with the city's Office of the Aging and any other involved city departments explore any and all available programs, including but not limited to "The Elder I.D. Program" and any resources that can be implemented to address this growing problem.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.69-2009**

14. BY MINORITY LEADER McLAUGHLIN, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the Yonkers Relay for Life Committee will be holding their Annual Relay for Life event on June 5th & 6th, 2009; and

WHEREAS, this event has raised funds for the American Cancer Society for use in our local area to help survivors with every day needs and to improve their quality of life; and

WHEREAS, this event will take place on the grounds of Gorton High School, located at 100 Shonnard Place, Yonkers, NY 10703; and

WHEREAS, the Yonkers Relay for Life Committee has requested permission from the City Council to place promotional banners in the surrounding area; and

WHEREAS, the Yonkers Relay for Life Committee has asked that they be permitted to place four (4) banners at the following locations on or around April 27<sup>th</sup>, 2009 and to be removed as soon after June 6<sup>th</sup>, 2009 as is possible:

1. The pedestrian bridge located at Sadore Lane & Central Park Avenue (facing southbound traffic)
2. Lake Avenue (near Lennon Park)
3. Central Park Avenue & Yonkers Avenue (bridge)
4. Yonkers Avenue (at Midland Avenue / Planet Fitness)

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Yonkers hereby grants permission to the Yonkers Relay for Life Committee to place four banners in the aforementioned locations, subject to any terms and conditions deemed appropriate by the Administration to protect the best interests of the City of Yonkers.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.70-2009**

15. BY COUNCILMEMBER GRONOWSKI, COUNCIL PRESIDENT LESNICK, MINORITY LEADER McLAUGHLIN, MAJORITY LEADER ANNABI, COUNCILMEMBERS McDOW, MURTAGH AND BARBATO:

WHEREAS, Prophet Elias Greek Orthodox Church, located at 15 Leroy Avenue in Yonkers will be celebrating its Annual Festival, Friday June 12<sup>th</sup>, Saturday June 13<sup>th</sup> and Sunday June 14<sup>th</sup>,2009, and has requested permission from the City Council to place three banners in the area promoting this event, and

WHEREAS, Prophet Elias Greek Orthodox Church has asked that they be permitted to place three banners; (1) at the intersection of Central Park Avenue & Yonkers Avenue (bridge) (2) at the intersection of Central Park Avenue & Tuckahoe Road (bridge) (3) at the intersection of Mclean Avenue & Central Park Avenue (bridge) or other appropriate location, on or around May 27<sup>th</sup>, 2009 and to be removed as soon after June 15<sup>th</sup>, 2009 as is possible.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Yonkers hereby grants permission to Prophet Elias Greek Orthodox Church to place three banners in the aforementioned locations, subject to any terms and conditions deemed appropriate by the Administration to protect the best interests of the City of Yonkers.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.71-2009**

16. BY COUNCILMEMBER BARBATO, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI AND MURTAGH:

WHEREAS, St. Bartholomew Church, located at 278 Saw Mill River Road in Yonkers will hold its annual "Casino Night" on Saturday, May 16, 2009, and has requested permission from the City Council to place banners in the area promoting this event, and

WHEREAS, St. Bartholomew Church has asked that they be permitted to place four (4) banners at the following locations: (1) on North Broadway & Executive Blvd. (2) Central Park Ave. & the Tuckahoe Road Bridge (3) Yonkers Ave. & Gold's Gym and the last at Palmer and Saw Mill River Road, on or around April 30<sup>th</sup>, and to be removed as soon after May 16, 2009 as is possible.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to St. Bartholomew Church to place four banners in the aforementioned locations, subject to any terms and conditions deemed appropriate by the Administration to protect the best interests of the City of Yonkers.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.72-2009**

17. BY MAJORITY LEADER ANNABI, COUNCIL PRESIDENT LESNICK, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

Whereas, the City Council of Yonkers recognizes the need to fully understand complex health issues and how they affect the lives of those afflicted by disease and those who support them; and

Whereas, our community is becoming increasingly aware of the difficulties faced by individuals with autism and autism spectrum disorders (ASD's) which cause developmental delays that affect a person's cognitive and learning abilities, characterized by abnormal development of social interaction and communication skills, and by restricted, repetitive and/or stereotyped patterns of behavior; and

Whereas, today, more than 60,000 New York State residents have a diagnosis of autism or autism spectrum disorders, and the New York State Office of Mental Retardation and Developmental Disabilities (OMRDD) serves approximately 17,000 affected individuals, about 60 percent of whom are 21 years of age or younger; and

Whereas, various studies indicate a substantial increase in the number of children diagnosed with autism in the past 10 to 20 years, affecting approximately 1 in 150 births, and it is estimated that the incidence of autism could reach 4 million Americans in the next decade; and

Whereas, autism presents serious challenges to caregivers as well as to those involved with the affected person's education, treatment and employment – of major concern to parents, clinicians and researchers are issues related to diagnosis, etiology, treatment, prognosis, and family planning; and

Whereas, however, progress is continuously being made through scientific study and medical research which has produced reliable new methods of diagnosis, fundamental understanding of the varieties and causes of ASD's, and more effective treatments and, as a result, persons with ASD can look forward to fulfilling and productive lives; and

Whereas, OMRDD's Institute for Basic Research (IBR) recently expanded its team of scientists dedicated to autism research, adding recognized experts in child psychiatry and autism, research psychology and neuropathology in relation to autism; additionally,

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**RESOLUTION NO.72-2009 (CONTINUED)**

IBR's newly established Autism Treatment Research Laboratory is designed to transfer the research findings into practical applications to improve the lives of individuals with Autism and Autism Spectrum Disorders; and

Whereas, through early diagnosis, intervention programs and other support services, many children and adults with autism enjoy meaningful lives as involved members of communities across this State and Nation, and it is vital to continue educating people about autism and the entire range of autism spectrum disorders.

Now, therefore be it resolved, that the Yonkers City Council hereby expresses support for the efforts to research, treat and accommodate those afflicted with autism and ASD's, and hereby expresses this support by naming April Autism Awareness Month in Yonkers.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY APRIL 28, 2009 BY A VOTE OF 7-0.

**ANNOTATED AGENDA**  
**CITY COUNCIL OF THE CITY OF YONKERS**  
**STATED MEETING**  
**TUESDAY, APRIL 28, 2009**

**COMMITTEE REPORTS**

THIS COUNCIL MEETING WAS ADJOURNED AT 10:48PM