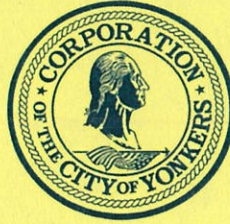


ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023



Committee of the Whole 6:30 P.M.
Stated Meeting 7:00 P.M.
City Council Chambers

TIME: 7:25PM

PRESENT: PRESIDENT OF THE COUNCIL
 LAKISHA COLLINS-BELLAMY

DISTRICT:

 3 MAJORITY LEADER TASHA DIAZ
 4 MAJORITY WHIP JOHN RUBBO
 5 MINORITY LEADER MICHAEL B. BREEN

COUNCIL MEMBERS:
DISTRICT:

 1 SHANAE V. WILLIAMS
 2 CORAZON PINEDA- ISAAC
 6 ANTHONY MERANTE

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 March 14, 2023 approved on motion of Majority Leader Diaz.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

INDEX

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1. LL. 10-2023	LOCAL LAW – AMENDING CHAPTER 58 OF THE CODE OF THE COY, ENTITLED “HOUSING AND BUILDING MAINTENANCE CODE” IN RELATION TO FEEDING OF ANIMALS IN RESIDENTIAL BUILDINGS	9
2. SO.10-2023	SPECIAL ORDINANCE – AUTHORIZING THE ACCEPTANCE OF GRANT FUNDING FROM NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYS DEC) IN THE AMOUNT OF \$45,000 AND AMENDING THE COY GRANT BUDGET FOR FY 2022/23	10/11
3. SO.11-2023	SPECIAL ORDINANCE – AUTHORIZING ACCEPTANCE OF NYS DOT SFY2020-21 EXTREME WINTER RECOVERY GRANT PROGRAM IN THE AMOUNT OF \$285,348 AND AMENDING THE COY GRANT BUDGET FOR FY 2022/23	12/13
4. SO.12-2023	SPECIAL ORDINANCE – AUTHORIZING AN ENCROACHMENT IN THE RIGHT-OF-WAY ON 900 NEPPERHAN AVENUE, SUBJECT TO CERTAIN TERMS AND CONDITIONS	14/16
5. RES.55-2023	RES - APPROVING AN INTER-MUNICIPAL DEVELOPER AGREEMENT FOR THE HIF (HOUSING IMPLEMENTATION FUND) FUNDS IN SUPPORT OF THE PROPOSED AFFORDABLE HOUSING DEVELOPMENT WITHIN THE COY AT 345 MCLEAN AVENUE	17/19

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

INDEX (CONTINUED)

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
6. RES.56-2023	RES – AMENDING RESOLUTION NO.7-2023 BY CORRECTING AN ERROR IN THE NAME OF THE ENTITY TO PROVIDE FINANCIAL PROFESSIONAL SERVICES TO INCLUDE THE REVIEW OF THE PROPOSED CITY BUDGET FOR FY 2023/2024 AND FY 2024/2025 AND OTHER ANALYTICAL SERVICES	20/21
7. RES.57-2023	RES – TO DECLARE LEAD AGENCY UNDER SEQRA FOR THE PETITION OF SARAH LAWRENCE COLLEGE FOR AN AMENDMENT OF THE ZONING MAP TO CHANGE CURRENT ZONE CLASSIFICATIONS TO THE “CU” COLLEGE AND UNIVERSITY ZONE CLASSIFICATIONS FOR THE PREMISES KNOWN AS 1229 MIDLAND AVE (CURRENTLY “MG”), A PORTION OF 879 KIMBALL AVENUE (CURRENTLY “S-60”) AND 161 HAMPSHIRE ROAD (CURRENTLY “S-200), YONKERS, NY AND KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE COY AS BLOCK 5363, LOT 20, BLOCK 5363, PART OF LOT 1 AND BLOCK 5349, LOT 29	22/24
8. RES.58-2023	RES – COMMISSIONER OF DEEDS	25

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

CITY OF YONKERS
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Yonkers City Council will hold a public hearing on the Petition on March 28, 2023, at the City Council Chamber, located at 40 South Broadway, Yonkers, New York, at 7:00 p.m. or as soon as possible thereafter, pursuant to Section 43-165 of the City Code of the City of Yonkers, to consider A GENERAL ORDINANCE AMENDING GENERAL ORDINANCE NO.4-2000, ALSO KNOWN AS CHAPTER 43 OF THE ZONING CODE OF THE CITY OF YONKERS, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF YONKERS, AND THE ACCOMPANYING ZONING MAP BY AMENDING SAID MAP BY CHANGING THE ZONE CLASSIFICATION OF 21 SCARSDALE ROAD, ALSO KNOWN AS SECTION 4, BLOCK 4544, LOT 1, AS SHOWN AND DESIGNATED ON THE OFFICIAL TAX MAP OF THE CITY OF YONKERS, FROM THE CURRENT "I" ZONE DISTRICT CLASSIFICATION TO AN "A" ZONE DISTRICT CLASSIFICATION.

All parties in interest and citizens will be heard by the Board at said public hearing scheduled at said time.

**BY ORDER OF THE CITY COUNCIL
OF THE CITY OF YONKERS**

DATED: March 13, 2023

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

CORPORATION NOTICE
CITY OF YONKERS-NEW YORK

PUBLIC HEARING NOTICE

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, March 28, 2023 at 7:00 P.M. in the City Council Chambers, 40 South Broadway, Yonkers, New York on the following Resolution, to wit:

PROPOSED RESOLUTION

A PROPOSED RESOLUTION TO CONSIDER A GENERAL ORDINANCE AMENDING CHAPTER 43 OF THE CODE OF THE CITY OF YONKERS, ENTITLED "ZONING" WITH REGARD TO OUTDOOR DINING.

VINCENT SPANO
City Clerk

Dated: March 6, 2023

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

COMMUNICATIONS FROM CITY OFFICIALS

NO COMMUNICATIONS

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

COMMUNICATIONS - GENERALLY

NONE

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

COMMITTEE OF THE WHOLE

NO SPEAKERS

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

LOCAL LAW NO.10-2023

1. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A LOCAL LAW AMENDING CHAPTER 58 OF THE CODE OF THE CITY OF YONKERS, ENTITLED “HOUSING AND BUILDING MAINTENANCE CODE” IN RELATION TO FEEDING OF ANIMALS IN RESIDENTIAL BUILDINGS

The City of Yonkers, in City Council convened, does hereby ordain and enact:

Section 1. Chapter 58 of the Code of the City of Yonkers entitled “Housing and Building Maintenance Code” is hereby amended in part by amending Subsection D of §58-20 entitled “Insects and Rodents” to read as follows:

§ 58-20 Insects and Rodents

D. Feeding of birds, fowl or other animals regulated in and around multi-unit residential buildings. No person shall place food for the feeding of birds, fowl, dogs, cats, or other animals in the open or in such a manner that such food is accessible to rodents, except where such food is placed in such containers as will prevent the scattering of such food upon the ground, and after such feeding ~~the food shall not be allowed to remain where it is accessible to rodents,~~ no food shall be left overnight in any hallway or public area, either indoor or outdoor, of a residential building.

Section 2. This Local Law shall take effect pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

THIS LOCAL LAW WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 28, 2023. BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

SPECIAL ORDINANCE NO.10-2023

2. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A SPECIAL ORDINANCE AUTHORIZING THE ACCEPTANCE OF STATE GRANT FUNDING FROM NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYS DEC) IN THE AMOUNT OF \$45,000 AND AMENDING THE CITY OF YONKERS GRANT BUDGET FOR FISCAL YEAR 2022/2023.

The City of Yonkers hereby ordains and enacts:

Section 1: New York State Department of Environmental Conservation (NYS DEC), under its Municipal Waste Reduction 2021 Grant Program, has awarded \$45,000 to the City of Yonkers to partially fund the salary and fringe benefits for an existing position at the Yonkers Recycling Center.

Section 2: The City is not required to provide a local matching share.

Section 3: The grant activity is determined to be a "Type II" action under SEQRA and its implementing regulations, 6 NYCRR Part 617, which constitute actions determined not to have a significant effect on the environment and therefore requiring no further environmental review.

Section 4: The Mayor of the City or his authorized designee is hereby empowered to execute any and all instruments and take such other actions as may be necessary to effectuate the purposes hereof.

Section 5: The City's Grant Budget for fiscal year 2022/2023 is hereby amended by increasing revenues and appropriations for the Department of Public Works, as follows:

Estimated Revenues

NYS DEC Municipal Waste Reduction 2021 Grant Program	\$45,000
---	----------

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

SPECIAL ORDINANCE NO.10-2023 (CONTINUED)

Estimated Expenses

NYS DEC Municipal Waste Reduction 2021 Grant Program	\$45,000
---	----------

Section 6: This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, MARCH 28, 2023. BY
A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

SPECIAL ORDINANCE NO.11-2023

3. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A SPECIAL ORDINANCE AUTHORIZING ACCEPTANCE OF NYS DOT SFY2020-21 EXTREME WINTER RECOVERY GRANT PROGRAM IN THE AMOUNT OF \$285,348 AND AMENDING THE CITY OF YONKERS GRANT BUDGET FOR FISCAL YEAR 2022/2023.

The City of Yonkers hereby ordains and enacts:

Section 1: New York State has authorized State grant funding of \$285,348.02 to the City of Yonkers, acting by and through its NYS DOT towards the SFY2020-21 Extreme Winter Recovery grant program, which provides funding to the Yonkers Engineering Department to provide new roadway pavement to existing streets that have experienced severe wearing due to normal use.

Section 2: The above constitutes a “Type II” action under SEQRA and its implementing regulations, 6 NYCRR Part 617, which constitute an action determined not to have a significant effect on the environment and therefore requiring no further environmental review.

Section 3: The Mayor of the City or his authorized designee is hereby empowered to execute any and all instruments and take such other actions as may be necessary to effectuate the purposes hereof.

Section 4: The City’s Grant Budget for fiscal year 2022/2023 is hereby amended by increasing revenues and appropriations for the Engineering Department, as follows:

Increase Estimated Revenues

NYS DOT
SFY2020-21 Extreme Winter Recovery grant program \$285,348.02

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

SPECIAL ORDINANCE NO.11-2023 (CONTINUED)

Increase Estimated Expenses

NYS DOT

SFY2020-21 Extreme Winter Recovery grant program \$285,348.02

Section 5: This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, MARCH 28, 2023. BY
A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

SPECIAL ORDINANCE NO.12-2023

4. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A SPECIAL ORDINANCE AUTHORIZING AN ENCROACHMENT IN THE RIGHT-OF-WAY ON NEPPERHAN AVENUE, SUBJECT TO CERTAIN TERMS AND CONDITIONS.

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

Section 1. Permission is hereby granted to A & E MAC REALTY, LLC, as owner of 900 Nepperhan Avenue, Yonkers, New York 10703, also known as Section 3, Block 3074, Lot 10, on the Official City Tax Map (the "owner"), to maintain an encroachment consisting of vehicle front yard parking partially upon the City right-of-way located on Nepperhan Avenue, along with portions of retaining walls, ramps and steps, in accordance with and as shown on a survey, to be approved by the City Engineer;

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

(a) That the entire cost and expense of obtaining and thereafter maintaining the encroachment on Nepperhan Avenue shall be paid by the owner, its successors and/or assigns without expense to or contribution by the City of Yonkers;

(b) That neither the approval of the above-referred survey by the appropriate city official, nor the placement of any improvements by the owner of Nepperhan Avenue upon said encroachment shall be deemed a waiver, or in any way affect the right, of the City of Yonkers to provide for construction or otherwise improve its right-of-way; provided further that the City of Yonkers reserves the right to assess the property benefited in like manner and in like effect as if approval had not been given by the City of Yonkers. That the granting of this permission shall in no way free or release said owner or any successors or assigns from the payment of any assessment hereafter imposed;

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

SPECIAL ORDINANCE NO.12-2023 (CONTINUED)

(c) That no permanent improvements other than those authorized herein shall be allowed on, above or under the encroachment area;

(d) That the permitted 16 '8" (+/-) encroachment will consist of the front yard vehicular parking and a portions of retaining walls, ramps and stairs extending from the owner's existing front yard into Nepperhan Avenue. All existing bollards and any other non-authorized encroachments within the city right-of-way shall be removed within thirty days of the adoption of this Special Ordinance.

(e) That the owner, its successors and/or assigns, shall secure all necessary permits and consents and shall secure and maintain a property damage and public liability insurance policy naming the City of Yonkers as insured, or as an additional named insured in the amount (\$1,000,000 minimum) and form satisfactory to the City Engineer and the Corporation Counsel of the City of Yonkers and provide the City of Yonkers with evidence thereof within thirty (30) days of approval of this permission to encroach. Thereafter, Owner shall be responsible to provide, each January, a valid certificate of insurance confirming the coverages listed above to the Department of Engineering with a copy to the Corporation Counsel;

(f) The City of Yonkers reserves the right to revoke or terminate this permission to encroach for any default of terms or conditions or for any other reason, upon thirty (30) days written notice to the owners, whenever it may deem such revocation necessary; Upon revocation or termination of this permission, the owner, its successors and/or assigns shall immediately remove any improvement placed within said encroachment at the express direction of the City of Yonkers, at the owner's cost and expense;

(g) That the owner, its successors and/or assigns shall, for whatever period this permission remains in effect, save harmless and indemnify the City of Yonkers for any and all claims, actions, suits, judgments, demands, losses, damages, causes of action, including personal injury and/or death, including all costs related to the defense thereof;

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

SPECIAL ORDINANCE NO.12-2023 (CONTINUED)

(h) That the City of Yonkers or its authorized representatives shall be permitted entry upon the area of encroachment at any time and for any reason;

(l) That the owner shall remit a one-time administrative fee of \$1,100.00 payable to City of Yonkers.

Section 3. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 28, 2023. BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

RESOLUTION NO.55-2023

5. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

RESOLUTION APPROVING AN INTER-MUNICIPAL DEVELOPER AGREEMENT FOR HIF FUNDS IN SUPPORT OF THE PROPOSED AFFORDABLE HOUSING DEVELOPMENT AT 345 MCLEAN AVENUE

WHEREAS, Westchester County (the “**County**”) established the Housing Implementation Fund (“**HIF**”) program to assist in the construction of municipally-owned infrastructure in support of fair and affordable housing; and

WHEREAS, Verus Development, LLC, or its successor or assigns (the “**Developer**”), proposes to construct a project consisting of 105 fair and affordable rental housing units and related amenities at 345 McLean Avenue, Yonkers, New York and designated on the Official Tax Map of the City of Yonkers as Section 1, Block 59, Lot 75 (that project, the “**Project**”); and

WHEREAS, in order for the Project to be viable, infrastructure must be constructed, including, but not limited to, roads, a parking lot, curbing, retaining walls, sidewalks, site lighting, sanitary sewer connections, a stormwater system, water services, utility conduit connections and landscaping (the “**Infrastructure Improvements**”); and

WHEREAS, the Project requires assistance from the County HIF program to subsidize the costs of the Infrastructure Improvements in order to ensure the affordability of the units; and

WHEREAS, the City of Yonkers (the “**City**”) desires the HIF assistance from the County for the Project and will enter into an Inter-Municipal Developer Agreement (“**IMDA**”) with the County and Developer; and

WHEREAS, pursuant to the IMDA, the construction of the Infrastructure Improvements shall be procured through a competitive public bid by the City pursuant to Section 103 of the New York General Municipal Law (“**GML**”); and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

RESOLUTION NO.55-2023 (CONTINUED)

WHEREAS, pursuant the IMDA, the construction of the Infrastructure Improvements shall be performed subject to New York State prevailing wage rates; and

WHEREAS, pursuant to the IMDA, the County and the Developer shall be granted necessary easements for the locations upon which the Infrastructure Improvements are constructed, if required; and

WHEREAS, Article 5-G, Section 119-o of the GML authorizes municipal corporations and districts to enter into agreements for the performance of their functions, powers or duties; and

WHEREAS, City may, in its sole discretion, enter into an agreement with the Developer detailing the responsibilities of the parties related to the Infrastructure Improvements, including, but not limited to, the design, construction, and oversight of the Infrastructure Improvements; and

WHEREAS, pursuant to County Executive Order 2-2018, County staff was present at a public forum to answer questions related the County's involvement in the Project and the City supports the County's participation therein.

NOW, THEREFORE, BE IT RESOLVED, that the City be and is hereby authorized to enter into an IMDA in an amount not to exceed FIVE MILLION FIVE HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$5,555,000.00) with the County and Developer and to take all necessary actions to facilitate and implement the terms of the IMDA; and be it further

RESOLVED, that the Project was initially reviewed pursuant to the New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("**SEQRA**"), as part of the 345 McLean Avenue Development Plan, determined to be an Unlisted action, and a negative declaration was issued by the Zoning Board of Appeals of the City of Yonkers, as Lead Agency, on February 15, 2020. Thereafter, the Project was subsequently reviewed pursuant to SEQRA as part of the 345 McLean Avenue Site Plan Amendment, determined to be an Unlisted Action, and a negative declaration was issued by the Planning Board of the City of Yonkers, as Lead Agency, on March 8, 2023. As such, the City

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

RESOLUTION NO.55-2023 (CONTINUED)

Council has determined that no further environmental review of the Project is necessary; and be it further

RESOLVED, that the Mayor or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effectuate the purposes hereof; and be it further

RESOLVED, that the Office of the Corporation Counsel for the City of Yonkers may negotiate the terms and make such amendments to the IMDA as may be necessary and appropriate to effectuate the purposes hereof; and be it further

RESOLVED, that this resolution will take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 28, 2023. BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

RESOLUTION NO.56-2023

6. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A RESOLUTION AMENDING RESOLUTION NO.7-2023 BY CORRECTING AN ERROR IN THE NAME OF THE ENTITY TO PROVIDE FINANCIAL PROFESSIONAL SERVICES TO INCLUDE THE REVIEW OF THE PROPOSED CITY BUDGET FOR FISCAL YEAR 2023/2024 AND FISCAL YEAR 2024/2025 AND OTHER ANALYTICAL SERVICES.

WHEREAS, pursuant to Resolution No.7-2023, duly adopted by unanimous vote of the Yonkers City Council on January 17, 2023 and approved by the Mayor on January 25, 2023, the City of Yonkers authorized entering into a professional services contract with PKF O'Connor Davies Advisory, LLC to provide financial professional services to include the review of the proposed City of Yonkers budget for Fiscal Year 2023/2024 and Fiscal Year 2024/2025 and other analytical services as required, commencing on January 1, 2023 through December 31, 2024; and

WHEREAS, the Yonkers City Council has been advised that the name of the firm to provide such services set forth in such Resolution was in error and that the correct name of the financial professional services firm is PKF O'Connor Davies LLP; and

WHEREAS, the Yonkers City Council wishes to rectify such error and confirm the correct name of the financial professional services firm to provide the financial professional services hereinbefore set forth;

NOW, THEREFORE, BE IT RESOLVED, that the Yonkers City Council hereby amends Resolution No.7-2023 and corrects and confirms the name of the financial professional services firm to provide the financial professional services set forth in Resolution No. 7-2023 as PKF O'Connor Davies LLP; and

BE IT FURTHER RESOLVED, except as expressly amended herein, the Yonkers City Council ratifies and confirms the provisions of Resolution No. 7-2023; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

RESOLUTION NO.56-2023 (CONTINUED)

BE IT FURTHER RESOLVED, that copies of this Resolution be suitably engrossed and be transmitted to PKF O'Connor Davies LLP and the Commissioner of Finance.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 28, 2023. BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

RESOLUTION NO.57-2023

7. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

A RESOLUTION TO DECLARE THE YONKERS CITY COUNCIL LEAD AGENCY UNDER SEQRA FOR THE PETITION OF SARAH LAWRENCE COLLEGE FOR AN AMENDMENT OF THE ZONING MAP TO CHANGE CURRENT ZONE CLASSIFICATIONS TO THE “CU” COLLEGE AND UNIVERSITY ZONE CLASSIFICATIONS FOR THE PREMISES KNOWN AS 1229 MIDLAND AVENUE (CURRENTLY “MG”), A PORTION OF 879 KIMBALL AVENUE (CURRENTLY “S-60”) AND 161 HAMPSHIRE ROAD (CURRENTLY “S-200”), YONKERS, NEW YORK AND KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE CITY OF YONKERS AS BLOCK 5363, LOT 20, BLOCK 5363, PART OF LOT 1 AND BLOCK 5349, LOT 29.

WHEREAS, Sarah Lawrence College, by its Petition dated November 15, 2022, is proposing to amend the Zoning Map of the City of Yonkers for the premises known as 1229 MIDLAND AVENUE (CURRENTLY “MG”), A PORTION OF 879 KIMBALL AVENUE (CURRENTLY “S-60”) AND 161 HAMPSHIRE ROAD (CURRENTLY “S-200”), YONKERS, NEW YORK AND KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE CITY OF YONKERS AS BLOCK 5363, LOT 20, BLOCK 5363, PART OF LOT 1 AND BLOCK 5349, LOT 2921 to change the current Zone Classifications to the “CU” Colleges and University Zone Classification to allow the continuation of the existing structures and uses on the premises ; and

WHEREAS, on December 13, 2022 the City Council adopted and circulated a resolution to declare its intent to act as Lead Agency in accordance with the provisions of 6 NYCRR Part 617 of the New York State Environmental Quality Review Act (“SEQRA”), in order to initiate a review process of the proposed amendments of the Zoning Map of the City of Yonkers; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

RESOLUTION NO.57-2023 (CONTINUED)

WHEREAS, on December 13, 2022 the Yonkers City Council referred the Petition to the Yonkers Planning Board and to the Westchester County Planning Board for their review and recommendation in accordance with the provisions of sections 43-164 of the Yonkers City Code and 239-m of the General Municipal Law respectively;

WHEREAS, more than thirty (30) days have elapsed since the date the Petition and EAF were transmitted to the Involved Agencies, and the City Council has not received any written objection from any other Involved Agencies regarding the City Council's intent to act as lead agency for review of the Proposed Action; and

WHEREAS, on January 3, 2023, the Westchester County Planning Board advised that it had no objection to the City Council acting as lead agency for review of the Proposed Action found that the Proposed Action was a matter of local concern; and

WHEREAS, at a meeting held on February 8, 2023, the Yonkers Planning Board adopted a Resolution to forward a favorable recommendation to the Yonkers City Council on the Proposed Action; and

WHEREAS, the City Council desires to assume Lead Agency status for the review of the Proposed Action pursuant to SEQRA; and

WHEREAS, the City Council must conduct a public hearing on the Petition in accordance with the requirements of Section 43-165 of the Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council that the City Council hereby declares itself to be Lead Agency for review of the Proposed Action under SEQRA; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

RESOLUTION NO.57-2023 (CONTINUED)

BE IT FURTHER RESOLVED, that the City Council hereby schedules a public hearing on the Petition to be held on held on March ____, 2023, at the City Council Chamber, located at 40 South Broadway, Yonkers, New York, at 7:00 p.m. or as soon as possible thereafter, pursuant to Section 43-165 of the City Code of the City of Yonkers, to consider THE PETITION OF SARAH LAWRENCE COLLEGE FOR AN AMENDMENT OF THE ZONING MAP TO CHANGE CURRENT ZONE CLASSIFICATIONS TO THE "CU" COLLEGE AND UNIVERSITY ZONE CLASSIFICATIONS FOR THE PREMISES KNOWN AS 1229 MIDLAND AVENUE (CURRENTLY "MG"), A PORTION OF 879 KIMBALL AVENUE (CURRENTLY "S-60") AND 161 HAMPSHIRE ROAD (CURRENTLY "S-200"), YONKERS, NEW YORK AND KNOWN AND DESIGNATED ON THE TAX ASSESSMENT MAP OF THE CITY OF YONKERS AS BLOCK 5363, LOT 20, BLOCK 5363, PART OF LOT 1 AND BLOCK 5349, LOT 29.; and

BE IT FURTHER RESOLVED that the Petitioner is hereby directed to publish notice of the Public Hearing in accordance with the requirements of Section 43-165 of the Zoning Ordinance; 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, MARCH 28, 2023. BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

RESOLUTION NO.58-2023

8. BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER DIAZ, MAJORITY WHIP RUBBO, MINORITY LEADER BREEN, COUNCILMEMBERS, WILLIAMS, PINEDA –ISAAC AND MERANTE:

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 April 30, 2025.

Chuck Lesnick
15 Albemarle
Place
Yonkers, New
York 10701

Lawyer

NEW

Beth
Schorr
Lesnick
15
Albemar
le Place
Yonkers, New York 10701

Gastroenterologist

NEW

Ivy L. Reeves
5 Whelan Place
Yonkers, New York 10703

Retired

NEW

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 28, 2023. BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 28, 2023

COMMITTEE REPORTS

THIS MEETING WAS ADJOURNED AT 7:55PM