

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, OCTOBER 25, 2011

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

TIME:_____

PRESENT: PRESIDENT OF THE COUNCIL
 CHUCK LESNICK

DISTRICT:

1	MAJORITY LEADER PATRICIA D. McDOW
5	MINORITY LEADER JOHN .M. MURTAGH

COUNCIL MEMBERS:
DISTRICT:

2	WILSON A. TERRERO
3	JOAN GRONOWSKI
4	DENNIS E. SHEPHERD
6	JOHN LARKIN

Recitation of the Pledge of Allegiance to the Flag followed by a minute of silence to invoke God's guidance and Blessing upon our deliberations.

Minutes of the stated meeting held on October 11, 2011 approved on motion of Majority Leader Patricia McDow.

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OLD BUSINESS

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COMMUNICATIONS FROM CITY OFFICIALS

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COMMUNICATIONS - GENERALLY

1. MEMO FROM VINCENT PICI, SUPERINTENDENT OF BUILDINGS FROM THE VILLAGE OF BRONXVILLE RE: THE ZONING BOARD OF APPEALS OF THE VILLAGE OF BRONXVILLE WILL HOLD A PUBLIC HEARING IN THE TRUSTEES PUBLIC MEETING ROOM AT THE BRONXVILLE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, NY., ON TUESDAY OCTOBER 25, 2011 AT 7:30PM TO GIVE CONSIDERATION TO THE APPEAL OF LAWRENCE HOSPITAL CANCER CENTER, 55 PALMER AVENUE, BRONXVILLE, NY.
2. NOTICE FROM THE CLERK OF THE VILLAGE OF SCARSDALE THAT A PUBLIC HEARING IS SCHEDULED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF SCARSDALE ON TUESDAY, OCTOBER 25, 2011 AT 8:00PM IN RUTHERFORD HALL, TO REVIEW AMENDMENTS TO THE VILLAGE CODE, RE: FAIR AND AFFORDABLE HOUSING.

DISTRIBUTED TO COUNCILMEMBERS AT THE OCTOBER 18, 2011
RULES COMMITTEE MEETING

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COMMITTEE OF THE WHOLE

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PUBLIC HEARING

A PUBLIC HEARING ON A GENERAL ORDINANCE AMENDING GENERAL ORDINANCE NO.24-1968 AS READOPTED, CONFIRMED, REENACTED AND REAFIRMED BY GENERAL ORDINANCE NO. 39-1970 (COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF YONKERS) AND THE ZONING MAP BY CORRECTING SAID MAP BY CHANGING THE ZONE CLASSIFICATION OF LOTS 1, 20 AND 50 IN BLOCK 4032 ALSO KNOWN AS 475 TUCKAHOE ROAD, 35 EAST GRASSY SPRAIN ROAD AND 55 EAST GRASSY SPRAIN ROAD RESPECTIVELY, FROM ITS RESPECTIVE PRESENT "C", AND "CM" ZONE DISTRICT CLASSIFICATIONS INTO A "BR" ZONE DISTRICT CLASSIFICATION

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OLD BUSINESS

GENERAL ORDINANCE

1. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

A GENERAL ORDINANCE AMENDING GENERAL ORDINANCE NO.24-1968 AS READOPTED, CONFIRMED, REENACTED AND REAFFIRMED BY GENERAL ORDINANCE NO. 39-1970 (COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF YONKERS) AND THE ZONING MAP BY CORRECTING SAID MAP BY CHANGING THE ZONE CLASSIFICATION OF LOTS 1, 20 AND 50 IN BLOCK 4032 ALSO KNOWN AS 475 TUCKAHOE ROAD, 35 EAST GRASSY SPRAIN ROAD AND 55 EAST GRASSY SPRAIN ROAD RESPECTIVELY, FROM ITS RESPECTIVE PRESENT "C", AND "CM" ZONE DISTRICT CLASSIFICATIONS INTO A "BR" ZONE DISTRICT CLASSIFICATION.

Be it ordained by the City Council of the City of Yonkers, as follows:

Section 1. General Ordinance No. 24-1968 as readopted, confirmed, reenacted and reaffirmed by General Ordinance No. 39-1970, commonly known as the Zoning Ordinance of the City of Yonkers and the zoning map, by changing the zone district classification of Block 4032, Lots 1, 20 and 50 as shown and designated on the Official Tax Map of the City of Yonkers, said property also known as 475 Tuckahoe Road, 35 East Grassy Sprain Road and 55 East Grassy Sprain Road, Yonkers, N.Y, from its present "C" and "CM" zone district classification to an "BR" zone district classification.

Section 2. This ordinance shall take effect immediately.

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NEW BUSINESS

GENERAL ORDINANCE

2. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

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

Section 1. General Ordinance No.4 -2000 and the accompanying map, also known as Chapter 43 of the Code of the City of Yonkers, and more commonly known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by adding a new Section 43-47, entitled "South Broadway District", to read as follows:

"Section 43-47 South Broadway District.

A. Purpose. The purpose of the South Broadway Zoning District (SBD) is to recognize, preserve and develop the special character of the South Broadway shopping area. South Broadway developed as one of the premier shopping streets in Yonkers and Southern Westchester County and remains one of the important shopping areas in the City. It is a vibrant example of the traditional urban shopping street with wide sidewalks, street trees, a pedestrian and shopper friendly physical environment complete with fine architecture and a beneficial and sustainable mix of retail, commercial and residential uses. The South Broadway Zoning District recognizes the advantages that this form of development brings to the City of Yonkers and seeks to enhance and preserve the business, residential and physical environment of the area while removing regulatory impediments to the continued growth of the area.

B. District. The South Broadway Zoning is divided into four sub-areas, North, Center, Core and South.

C. Dimensional Regulations. The South Broadway Zoning District dimensional regulations shall be:

- (1) Central Area
- (a) Front yard set back- None required.
- (b) Side yard set back-None required.
- (c) Rear yard set back-10 Feet for commercial.
- (d) Side Front yard set back-None required.

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(e) Build to line- New structures shall be required to meet the average street build to line of the adjacent structures. The approving agency may in its review of an enlarged or altered development require the construction to meet the front build-to-line in order to maintain a consistent street frontage in the South Broadway District.

(e) Floor area ratio- 4.0

(f) Height- Forty Feet.

(g) Lot area, minimum-None required.

(h) Lot width- None required.

(i) Maximum Lot Coverage- 90%.

(2) Core Area

(a) Front yard set back- None required.

(b) Side yard set back-None required.

(c) Rear yard set back-10 Feet for commercial or 25 feet for residential.

(d) Side Front yard set back-None required.

(e) Build to line- New structures shall be required to meet the average street build to line of the adjacent structures. The approving agency may in its review of an enlarged or altered development require the construction to meet the front build-to-line in order to maintain a consistent street frontage in the South Broadway District.

(f) Floor area ratio- 3.0

(g) Height- 50 Feet Base/80 Feet total.

Tower setback 15 feet minimum above 50 feet.

(h) Lot area, minimum-None required.

(i) Lot width- None required.

(j) Maximum Lot Coverage- 90%.

(3) South Area

(a) Front yard set back- None required.

(b) Side yard set back-None required.

(c) Rear yard set back-10 Feet for commercial or 25 feet for residential.

(d) Side Front yard set back-None required.

(e) Build to line- New structures shall be required to meet the average street build to line of the adjacent structures. The approving agency may in its review of an enlarged or altered development require the construction to meet the front build-to-line in order to maintain a consistent street frontage in the South Broadway District.

(f) Floor area ratio- 10.0

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- (g) Height- 120 Feet,
60 Feet Base/120 Feet total.
- (h) Lot area, minimum-None required.
- (i) Lot width- None required.
- (j) Maximum Lot Coverage- 90%.

- (4) North Area
 - (a) Front yard set back- None required.
 - (b) Side yard set back-None required.
 - (c) Rear yard set back-10 Feet for commercial or 25 feet for residential.
 - (d) Side Front yard set back-None required.
 - (e) Build to line- New structures shall be required to meet the average street build to line of the adjacent structures. The approving agency may in its review of an enlarged or altered development require the construction to meet the front build-to-line in order to maintain a consistent street frontage in the South Broadway District.
 - (f) Floor area ratio- 10.0
 - (g) Height- 120 Feet,
60 Feet Base/120 Feet total.
 - (h) Lot area, minimum-None required.
 - (k) Lot width- None required.
 - (l) Maximum Lot Coverage- 90%.

- (5) Building Requirements.
 - (a) Mandatory ground floor transparency:70%
 - (b) Building facades more than 50 feet wide abutting streets shall be divided into multiple bays similar to existing contextual architecture
 - (c) façade materials and design shall respect existing contextual architecture with regards to treatment of material and fenestration.
 - (d) Buildings shall be designed to articulate a base , middle and top and shall design the windows and cornice to respect and remain in context to similar contextual architecture on either side of the building.
 - (e) The overall width of a building portion above 50 feet or four stories, whichever is less shall not exceed 100 feet along the lot's frontage.

D. Nonconforming uses. Nonconforming uses in the South Broadway District shall be governed by the provisions of Section

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GENERAL ORDINANCE (CONTINUED)

43-21 of the Yonkers Zoning Code entitled "Nonconforming uses buildings and structures", except as otherwise provided herein:

- (a) Existing Apartment Houses and mixed use Apartment Houses and Commercial uses may continue as non-conforming uses and structures and shall not be subject to Section 43-21 (E) of the Yonkers Zoning Code. Reconstruction of a nonconforming use, building or structure, in so much as that section mandates that in the event of destruction or damage exceeding 50% of the valuation of the structure as assessed for City taxes that the structure may not be reconstructed except subject to review by the Zoning Board of Appeals. In order to preserve the mixed use nature of the South Broadway Zoning District should a building or structure used as an apartment house or a Mixed Use/Apartment House and Retail, the use of which or the use of a portion of which is nonconforming or which is dimensionally nonconforming, be destroyed or damaged by any means to an extent not exceeding 85 percent of the assessed valuation of the structure as assessed for City Taxes, it may be reconstructed and any accompanying nonconforming use continued, provided that the reconstruction is commenced within twenty four (24) months of the date of such damage and completed within two years of said date. No additional review of the reconstruction shall be required beyond that necessary to obtain a building permit and certificate of occupancy provided that the building is reconstructed in kind as determined by administrative review by the Commissioner of Housing and Buildings and the Director of Planning.

- E. Permitted Uses. The following uses shall be permitted in the South Broadway District:

Permitted Uses

Municipal uses (City of Yonkers)

Apartment Houses (permitted in the Core, North and South sub-district areas.

Live/work units

Banks and financial uses

Commercial Schools

Department Stores

Eating and drinking establishments

Fast food restaurants

Food and beverage stores

Funeral Parlors or mortuaries

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GENERAL ORDINANCE (CONTINUED)

Health Clubs and gymnasiums

Indoor markets

Medical Establishments

Offices

Pawnshops and Check Cashing Stores

Personal service establishments

Restaurants

Retail establishments

Retail craft uses

Telephone Switching Facilities

Theaters and Movie Theaters

Permitted uses (with supplemental requirements)

Automobile Rental Establishments

Automobile Sales Establishments

Offices of philanthropic institutions

Audio, radio, video and television stations and studios

Banquet and catering facilities

Cabarets and night clubs

Day Care Centers

Dry Cleaning establishments

Hotels

Senior Citizens Apartment Houses (permitted in Core, North and South sub-district areas)

Uses permitted subject to special use requirements.

Private Not –for Profit recreational uses.

Supermarket

Accessory Uses

Permitted Uses

None

Permitted uses (with supplemental requirements)

Automatic Teller Machines

Amusement games and devices

Awnings

Bars or Lounge areas serving liquor or brew pubs

Christmas tree sales

Fences and Walls

Home Occupations

Laboratories

Live entertainment

Loading berths or spaces

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GENERAL ORDINANCE (CONTINUED)

Newspaper vending machines
Outdoor dining areas
Outdoor storage
Refuse collection, storage and recycling
Retail uses in conjunction with offices
Signs
Soda or candy vending machines
Private garage
Private open air parking
Semi-public open air parking
Semi-public parking structure
Shared parked

Uses permitted subject to special use requirements
Satellite antennas
Fee in lieu of parking

F. Off Street Parking and Loading. The following parking regulations, in addition to parking regulations found elsewhere in Chapter 43, will be applied in this district:

(1) The provisions of Section 43-127 and Section 43-131(A) shall not apply to buildings, structures or uses in existence at the time of the passage of this Chapter, whether continued as permitted uses or as a nonconforming use, or thereafter converted or changed to a different lawful use.

(2) The approving agency shall not permit any reduction or elimination of whatever quantity of parking or loading space that may already exist, except to the extent that it may exceed such requirement.

G. Previously Approved Projects. Buildings, structures or uses approved under the zoning regulations in existence at the time of the adoption of this amendment shall be permitted to be started for a period of two (2) years after the approval of this amendment and must be completed within a period not to exceed five (5) years from the adoption date of this amendment."

Section 2._ General Ordinance No. 24-1968 as readopted, confirmed, reenacted and reaffirmed by General Ordinance No. 39-1970, commonly known as the Zoning Ordinance of the City of Yonkers and the zoning map, is hereby amended by adding the South Broadway (SBD) District as shown on the annexed map.

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GENERAL ORDINANCE (CONTINUED)

Section 3. This ordinance shall take effect immediately.

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SPECIAL ORDINANCE

3. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

A SPECIAL ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO VARIOUS AGREEMENTS WITH THE CENTER FOR URBAN REHABILITATION AND EMPOWERMENT, INC. (C.U.R.E.) REMOVING LOT 28 IN BLOCK 2116 (309 WARBURTON AVE), LOT 18 IN BLOCK 2116 (254 WOODWORTH AVENUE), LOT 34 IN BLOCK 2151 (312 WARBURTON AVE.) AND LOT 41 IN BLOCK 2114 (75 RAVINE AVE.), FROM THE CITY'S TAX LIEN AND/OR IN REM LIST, AND ESTABLISHING A PAYMENT SCHEDULE TO PAY BACK TAXES IN INSTALLMENTS (COPIES OF THE AGREEMENTS ARE ATTACHED HERETO AND MADE A PART HEREOF).

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

Section 1. The Mayor is hereby authorized to enter into separate agreements with the Center for Urban Rehabilitation and Empowerment, Inc. (C.U.R.E.), removing Lot 28 in Block 2116 (309 Warburton Ave), Lot 18 in Block 2116 (254 Woodworth Ave.), Lot 34 in Block 2151 (312 Warburton Ave.), and Lot 41 in Block 2114 (75 Ravine Ave.), from the City's Tax Lien and/or In Rem list, and establishing a payment schedule to pay back taxes in installments due thereon (copies of the agreements are attached hereto and made a part hereof).

Section 2. This ordinance shall take effect immediately.

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SPECIAL ORDINANCE

4. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

A SPECIAL ORDINANCE AMENDING THE CITY OF YONKERS GRANT BUDGET FOR FISCAL YEAR 2012/2013.

The City of Yonkers hereby ordains and enacts:

Section 1: The City's Grant Budget for fiscal year 2011/2012 is hereby amended by increasing revenues and appropriations for the Office of Emergency Management for a grant from NYS Department of Homeland Security, to continue the domestic preparedness program offered to the public to enhance local response to emergencies and disasters that could occur in the City.

Increase Estimated Revenues

NYS FEMA	049-G16-3270-2779	\$47,570.18
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Increase Appropriation

Special Projects	049-G16-3270-0496	\$47,570.18
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Section 2: 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 3: The Mayor and/or his designee be and the same is hereby authorized to execute any documents in connection with receipt of said grant.

Section 4: This ordinance shall take effect immediately.

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RESOLUTION

5. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

RESOLUTION OF THE YONKERS CITY COUNCIL AUTHORIZING THE ISSUANCE OF A DETERMINATION OF SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") RELATING TO THE AMENDMENT OF THE ZONING CODE OF THE CITY OF YONKERS IN REGARD TO THE SOUTH BROADWAY DISTRICT.

WHEREAS, there is pending before the Yonkers City Council an ordinance for the amendment of the Zoning Code of the City of Yonkers, specifically the addition of a new § 43-47 entitled "South Broadway District"; and

WHEREAS, the City Council has determined that the proposed amendment of the Zoning Code is an Unlisted Action under the State Environmental Quality Review Act ("SEQRA") requiring the City Council to comply with the regulations promulgated pursuant to SEQRA; and

WHEREAS, an Environmental Assessment Form has been prepared to assist the City Council in complying with its responsibilities under SEQRA; and

WHEREAS, the City Council has carefully considered the proposed action and has reviewed the Environmental Assessment Form and the criteria set forth in Section 617.7 of 6 NYCRR Part 617 of the SEQRA regulations and has identified and carefully considered the relevant areas of environmental concern as are fully set forth in said Environmental Assessment Form to determine if the proposed action will have a significant impact upon the environment.

NOW THEREFORE, BE IT RESOLVED, by the Yonkers City Council that based upon it's review of the Environmental Assessment Form and for the reasons set forth in said Environmental Assessment Form, it is determined that there will be no adverse impact on the environment from the proposed amendment of the Zoning Code of the City of Yonkers regarding the South Broadway District; and,

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RESOLUTION (CONTINUED)

BE IT FURTHER RESOLVED, that the City Council President is authorized and directed to sign the Determination of Significance on the Environmental Assessment Form, on behalf of the City Council pursuant to Article 8 of the Environmental Conservation Law, indicating that the proposed action will not result in any significant adverse environmental impacts and to immediately transmit same to be filed and made available pursuant to the requirements of 6 NYCRR Part 617; and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

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RESOLUTION

6. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

WHEREAS, the owner of the property located at 4 Second Street, a/k/a 77 Cole Street, (Ridge Hill) more properly known as Block 4069, Lot 1, on the Tax Assessment Map of the City of Yonkers has submitted an application on behalf of FOREST CITY RATNER to the Planning Board, for a Special Use Permit for the proposed operation of a 24 hour Health Club for use by customers of the facility, which was approved by the Planning Board in accordance with Article VII, Section 43-74 (A) 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 to grant said application.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers, in meeting assembled, that the proposed 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 by FOREST CITY RATNER, as the property owner, for a Special Use Permit, for the operation of a 24 hour Health Club at Block 4069, Lot 1 on the Tax Assessment Map of the City of Yonkers, on the property known as 4 Second Avenue, a/k/a/ 77 Cole Street (Ridge Hill), Yonkers, New York, pursuant to Article VII, Section 43-74 (A) 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, as modified herein, which includes but is not limited to: (1) All conditions imposed by the Yonkers Police Department and the Planning Board not otherwise inconsistent herewith shall remain in full force and effect as long as the site is occupied by a Health Club: (2) The applicant (FOREST CITY RATNER) and the operator of the Health Club must meet with the Yonkers Police Department and obtain their input on a security operations plan within 6 months of City Council approval of this resolution and such meeting must occur prior to the issuance of a certificate of occupancy: (3) The City Council based upon complaints that may have been received by City Departments, Agencies, including but not limited to the Yonkers

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RESOLUTION (CONTINUED)

Police Department and the City Council reserve the right to review, reconsider and/or revoke the grant of the Special Use Permit for a health club facility to operate between the hours of 12:00 midnight and 6:00 a.m. Said complaints shall be referred to the City's Corporation Counsel who shall report to and make recommendations to the City Council based upon a review of verifiable complaints and provide a legal analysis/conclusion thereof. If the City Council should disagree with the analysis and recommendation of the Corporation Counsel, then the City Council may by a majority vote, seek a second opinion from an expert selected by and to be paid for by the City Council. All of the conclusions, findings and conditions of the July 13, 2011, Planning Board Resolution not otherwise inconsistent herewith, are hereby referenced to and made a part hereof; and be it further

RESOLVED, that this Resolution shall take effect immediately.

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7. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

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

That the settlement by the Corporation Counsel in the amount of ONE THOUSAND EIGHT HUNDRED SEVENTY ONE DOLLARS and FIFTEEN CENTS (\$1871.15) of the action entitled, "Peter Fabrizio", residing at 15 B South Maple Avenue, Dark Ridge, New Jersey, 07656, plaintiff against "THE CITY OF YONKERS," defendant, for property damage arising out of an incident on May 3, 2011, in the City of Yonkers that caused damage to his vehicle as a result of an accident with a Fire Department vehicle on Warburton Avenue at its intersection with Glenwood Avenue. 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 ONE THOUSAND EIGHT HUNDRED SEVENTY ONE DOLLARS and FIFTEEN CENTS (\$1871.15) in favor of said plaintiff.

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8. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

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 November 30, 2013.

Hassan Solemri
73 market Street
Yonkers, New York 10710

Engineer

NEW

Mary Flower
19 Raymond Place
Yonkers, New York 10704

Law Firm

RENEWAL

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RESOLUTION

9. BY MAJORITY LEADER McDOW, COUNCIL PRESIDENT LESNICK, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

WHEREAS, the Youth Interaction Theatre (YTI), will be holding its Annual Jimmy's Jam Fundraiser "*Jimmy's Jam for YTI*" on Thursday, November 10, 2011 from 6:00PM until 10:00PM at The Polish Center, 92 Waverly Street, and

WHEREAS, YTI has requested permission from the City Council to have their banners displayed to promote this event as soon as possible until the day of the event in the following locations:

- Main Street, at the intersection of Warburton Avenue and Main Street.
- North Broadway, at the intersection/overpass of Roberts Avenue

OR

- Central Park Avenue, at the intersection/overpass of Yonkers Avenue
- Banner on Main Street, at the intersection of Warburton Avenue and Main Street.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Yonkers hereby grants permission to the Youth Interaction Theatre (YTI) to place two 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.

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RESOLUTION

10. BY COUNCILMEMBER TERRERO, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS, GRONOWSKI, SHEPHERD AND LARKIN:

WHEREAS, a group of residents of the South West Yonkers neighborhood, Ludlow Park, are seeking to create a dog park; and

WHEREAS, the group has identified approximately 3,400 square feet of New York State-owned property on Riverdale Avenue, between Culver St. and Franklin Ave. as a possible site for the proposed dog park; and

WHEREAS the location for the proposed Ludlow Park Dog Park is an vacant lot that is infrequently maintained, littered-filled, and attracting negative uses; and

WHEREAS, a dog park would increase positive use of the property and encourage positive civic participation in building and maintaining the community dog park; and

WHEREAS, the proposed Dog Park has been endorsed by a unanimous vote of the Board of the Ludlow Park Residents Association;

WHEREAS, the group intends to carry the burden of fundraising and maintenance for the park which will cause the Dog Park to have minimum impact on the budget for the City of Yonkers,

WHEREAS, the group has created a preliminary budget, outlined a fundraising plan, and secured a fiscal conduit to raise funds for the dog park; and

NOW THEREFORE, BE IT RESOLVED. that the City Council of the City of Yonkers hereby commends the group and the Ludlow Park Residents Association for their efforts to date;

RESOLVED, calls upon the City to make its best efforts, through our Parks Commissioner and Corporation Counsel, to negotiate with the NYS Department of Transportation to explore the possibility of creating the proposed Dog Park at said location; and

RESOLVED, that the City should be ready to take all necessary steps to create the Dog Park if an agreement with New York State for use of the land can be obtained; and

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, OCTOBER 25, 2011

RESOLUTION (CONTINUED)

ALSO RESOLVED, that the City can reach a formal agreement with the group of residents regarding the creation and maintenance of the Dog Park so that there is minimum fiscal impact for the City of Yonkers; and

FINALLY, RESOLVED that the City Council strongly supports the creation and operation of a Dog Park at said location for the betterment of the community and the City as a whole.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, OCTOBER 25, 2011

RESOLUTION

11. BY MINORITY LEADER MURTAGH, COUNCILMEMBER TERRERO, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, COUNCILMEMBERS, GRONOWSKI, SHEPHERD AND LARKIN:

WHEREAS, Westchester, ARC / Sheib Training Center, located at 567 Yonkers Ave., in Yonkers, will hold their ANNUAL BAZAAR / TAG SALE on Saturday, November 19, 2011 from 10AM – 4pm and Sunday, November 20th from 12 Noon to 3PM has requested permission from the City Council to place one, possibly two, banners in the area promoting this event, informing the public as to the details involved with the Bazaar, and

WHEREAS, Westchester ARC / Sheib Training Center, has asked they be permitted to place the banner/banners at the following location:

Central Park Ave. & Yonkers Ave., on the pedestrian overpass (northbound and southbound)

The banner will be hung on or about November 1st, 2011 and is to be removed as soon after November 20th, 2011 as possible.

NOW, THEREFORE BE IT RESOLVED, the City Council of Yonkers hereby grants permission to Westchester, ARC / Sheib Training Center to place one, possibly two, banners at the aforementioned location, subject to any terms and conditions deemed appropriate by the Administration to protect the best interests of the City of Yonkers.

AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
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TUESDAY, OCTOBER 25, 2011

RESOLUTION

12. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER McDOW, MINORITY LEADER MURTAGH, COUNCILMEMBERS TERRERO, GRONOWSKI, SHEPHERD AND LARKIN:

WHEREAS, the City of Yonkers is truly blessed and privileged to have a spectacularly beautiful montage of communities that proudly represent many nations from all over the world making the City of Yonkers a splendidly diverse display of “citizens of the world”; and

WHEREAS, foremost among these groups is the Polish American Community which has made countless noteworthy contributions to this city and our county endlessly seeking to promote the cherished traditions that have endured for many generations; and

WHEREAS, the annual observance of PULASKI DAY is a time of celebration and remembrance with a healing, uplifting spirit of love and compassion that touches the hearts of many; and

WHEREAS, the many Polish Americans in our community and beyond are firmly committed to bettering the quality of life for all who live and work in our beloved city, most especially for those who treasure the storied history of the Polish American men, women and children who have endeavored so tirelessly to add their magnificently rich culture to the special tapestry that defines life in Yonkers; and

WHEREAS, adding to this illustrious history with great pride and admiration are: Parade Grand Marshal Elizabeth Kuranowski and Miss Polonia Katarzyna Szybisty;

NOW, THEREFORE, BE IT RESOLVED that the Yonkers City Council hereby joins the Westchester Pulaski Association under the leadership of Coordinator Stephen M. Schurick in honoring these distinguished individuals and extends its most sincere thanks to all who have worked with a never-ending passion to make such extraordinary contributions to this city and each of its residents.