



Annotated Agenda

Tuesday, March 11, 2025

7:00 PM

City Hall – City Council Chambers 4th Floor

City Council of Yonkers Stated Meeting

**PRESENT: PRESIDENT OF THE COUNCIL
LAKISHA COLLINS-BELLAMY**

DISTRICT:

**4 MAJORITY LEADER JOHN RUBBO
1 MAJORITY WHIP DEANA R. ROBINSON
5 MINORITY LEADER MICHAEL B. BREEN**

COUNCIL MEMBERS:

DISTRICT:

**2 CORAZON PINEDA-ISAAC
3 TASHA DIAZ
6 ANTHONY MERANTE**

Roll Call

Present: Michael B. Breen
Lakisha Collins-Bellamy
Anthony J. Merante
Corazon Pineda Isaac
Deana R. Robinson
John Rubbo

Absent: Tasha Diaz

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

Minutes of the stated meeting held on February 25, 2025 approved on motion of Majority Leader Rubbo.

COMMUNICATIONS FROM CITY OFFICIALS

COMMUNICATIONS - GENERAL

COMMITTEE OF THE WHOLE

INDEX

1. [GO.4-2025](#) A GENERAL ORDINANCE AMENDING CHAPTER 43 OF THE CODE OF THE CITY OF YONKERS KNOWN AS THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF YONKERS TO ADD A NEW "PLANNED FILM & EDUCATIONAL DEVELOPMENT USE" AS A SPECIAL USE PERMIT TO THE MG DISTRICT AS DESCRIBED AND DEFINED IN SECTION 43-74 THEREOF

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

Section 1. Recitals

WHEREAS, on July 18, 2024, i.Park Riverdale, LLC ("iPark") filed a petition in the Office of the Yonkers City Clerk, proposing to develop its property located at 501 Hawthorne Avenue (Tax Map Section 1, Block 1, Lot 2) in southwest Yonkers (the "Property"), to include a "Media and Production Magnet School," to be called the "Robert Halmi, Sr. Academy for Film and Television (the "Academy"); and

WHEREAS, i.Park Riverdale, LLC (the "Applicant") is seeking to redevelop the property at 501 Hawthorne Avenue (Project Site), including updating existing facilities for education and office use, and constructing a 90,000 sq. ft. studio complex with a 250-space parking structure. The Applicant proposes to amend the Zoning Code text for the MG zoning district, allowing "Planned Film and Educational Development" as a Special Permit Use. In order to be able to apply for a Special Use Permit for a "Planned Film and Educational Development" the applicant must have 25 acres or more of contiguous acres and existing structures to be reused for educational purposes

WHEREAS, the Academy is projected to enroll 400 to 600 students in grades 6 through 12, providing these students access to a fully operational studio complex, including film-making, set design, set direction, costume design and post-production; and

WHEREAS, iPark proposes to renovate and adapt the current structures on the property, including extensive renovation of the Biondi School, Ames School, and Administration buildings for use as middle and high schools as part of and to be operated by the Yonkers Board of Education; and

WHEREAS, the iPark development proposal will provide hands-on, realistic educational opportunities for Yonkers students and direct paths to employment and apprentice

opportunities in the media, film and studio industries; and

WHEREAS, on January 28, 2025 the Yonkers City Council conducted a Public Hearing

WHEREAS, the Yonkers Planning Board Assumed Lead Agency status under the State Environmental Quality Review Act on October 9, 2024; and

WHEREAS, on December 8, 2024 in accordance with the provisions of 6 NYCRR Part 617.7, the City of Yonkers Planning Board, acting as Lead Agency for this Type I Action involving Coordinated SEQR review, having reviewed and analyzed a Full Environmental Assessment Form (FEAF) with supporting environmental analyses and site plans for the proposed property and its use, determined that the action as set forth below will not have a significant adverse impact on the environment and the Planning Board adopted a Negative Declaration; and

WHEREAS, this application requires a recommendation by the Planning Board per Section 43-164 of the Code of the City of Yonkers; and

WHEREAS, the City Council has carefully examined the Application and the Applicant's materials, including the Zoning Petition of the Applicant, dated July 18, 2024, and as further detailed in "The Rezoning Study - Establishment of Planned Film & Education Developments" dated May 24, 2024, and

WHEREAS, The City Council has duly considered the record, together with the action, and the Planning Board's analysis, findings and conclusions associated with the proposed development and zoning amendment in accordance with procedures set forth at 6 NYCRR Part 617 and the criteria set forth at 6 NYCRR Part 617.7 pursuant to the requirements of the State Environmental Quality Review Act (SEQRA)

WHEREAS, the City Council, finds that approval of the redevelopment of the Project Site, and the amendment of the Zoning Code text for the MG zoning district, allowing "Planned Film and Educational Development" as a Special Permit Use, would not have a significant adverse impact on the environment for the reasons stated therein; and

WHEREAS, the City Council finds that the redevelopment of the Project Site and the amendment of the Zoning Code text for the MG zoning district, allowing "Planned Film and

Educational Development" as a Special Permit Use, is consistent with the goals of the City's Comprehensive Plan to encourage economic development in that the expansion of film and studio uses at the Project Site will help create jobs and remain competitive in the region.

Section 2. Chapter 43 of the Code of the City of Yonkers, specifically Section 43-74 of the Zoning Code entitled, "Special use permit requirements for certain business, commercial and office uses", is hereby amended in part by adding a new subsection (K) entitled, "Planned film and educational development" to read as follows:

§43-74(K) Planned film and educational development
(1) Locations of permitted Planned Film and Educational Development. The Yonkers City Council has determined that a planned film and educational development is permitted by special use in the following areas within the MG District:

(a) On tracts of land of 25 or more contiguous acres; and
(b) Already contains existing structures proposed to be reused for educational or film industry facilities.

(2) Preliminary determination. An applicant may apply to the Planning Board for a Planned Film and Educational Development. Such application shall be accompanied by a sketch plan indicating, in general, the plan, proposed uses, and the manner in which the application will be in compliance with the conditions of this Section. The applicant shall provide sufficient detail to assist the Planning Board in making a preliminary determination as to the desirability of the location of a Planned Film and Educational Development at the site in question.

(3) Application. If, in the opinion of the Planning Board, such a Planned Film and Educational Development will assist in achieving the objectives of the City of Yonkers Comprehensive Plan, Zoning Ordinance, Official Maps or other codes and ordinances, the applicant shall be directed to file a complete special use permit and site plan application. Following an approval of a special use permit application by the Planning Board, a transcript of the Planning Board's public hearing and a copy of its findings and decisions shall be forwarded to the Yonkers City Council within 20 days. Within 45 days of receipt of the Planning Board's decision, the City Council shall approve, disapprove, or approve with modifications the decision of the Planning Board with respect to the granting of the special use

permit.

(4) Following approval of the special use permit by the Planning Board and the Yonkers City Council as required for special use permits, a site plan of the Planned Film and Educational Development shall be submitted in accordance with the requirements of Article IX, Site Plan Review, of this chapter.

(5) Adaptive reuse of existing buildings. To the greatest extent possible, existing buildings are to be incorporated into any Planned Film and Educational Development

(6) Permitted Uses.

(a) The uses as identified by the underlying MG district shall continue to apply.

(b) Additional principal uses maybe permitted as follows:

[1] Audio, radio, video, television stations and studios

[2] Theater and movie theaters

[3] Colleges/ Universities

[4] Schools

[5] Offices

(c) Additional accessory uses may be permitted as follows:

[1] Restaurants, commissary and in-house

[2] Accessory warehousing and storage

[3] Solar Energy Collectors

(7) Criteria for Planned Film and Educational Development.

(a) Dimensional standards. The dimensional regulations shall be consistent with the minimum requirements in the MG Zone District, as per Table 43-3, Schedule of Dimensional Requirements, except:

[1] Maximum Percentage Building Coverage shall be 60%.

[2] Maximum Stories/Height shall be 4 stories or 60 feet, whichever is less.

(b) Parking standards. The parking and loading requirements in the Schedule of Parking and Loading Requirements (§ 43-128, Tables 43-4 and 43-5) shall apply, except as follows:

[1] The Planning Board may reduce the parking requirements in Table 43-4, Schedule of Parking Regulations, up to 20% for new development when a parking analysis is provided to the approving board demonstrating that the proposed parking will be adequate for the proposed on-site uses.

[2] Any application may also propose alternative methods of parking as listed in 43-132(C).

(c) Design standards.

[1] Developments shall be designed to complement the existing

historic and/or traditional design elements found on-site to the greatest extent possible.

[2] Materials used for non-studio buildings shall complement the materials found on-site and in the surrounding neighborhood. Traditional materials such as brick, stone, wood siding, metal and windows are preferred to plastic, vinyl, artificial stone and siding materials.

[3] The front and principal facades shall not be encumbered with heating, air conditioning or ventilation equipment, with the exception of air conditioners in wall sleeves.

Section 3. 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, by amending Table 43-1 of the Schedule of Use Regulations, Business, Commercial and Office Uses in part, by adding alphabetically a “Planned film and educational development” use under the Use Column and adding “MG” under the District column and inserting a S in the columns for MG district and amendment of the chart to make the following changes to read as follows:

OL BR B BA CB DW GC C CM IP I PMD A&I CA
L-MX MG
Planned film and educational S
development

Section 4. 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, by amending Table 43-2 of the List of Use Regulations by District, MG District: apartment houses, low-density, in part, by adding alphabetically a “Planned film and educational development” use in the Principle Uses category under “Uses permitted subject to special use requirements”.

Section 5. 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, by amending Table 43-3 of the Schedule of Dimensional Regulations for Residential Uses, in part to add a new note enumerated as “9” to the MG District to read as follows:

District
S-200 S-100 S-75 S-60 S-50 T MG9 M A B BA CB

L-MX

Notes continued:

9 The dimensional requirements for Planned Film and Education Developments shall be consistent with the minimum requirements in the MG Zone District, except:

(1) Maximum Percentage Building Coverage shall be 60%.

(2) Maximum Stories/Height shall be 4 stories or 60 feet, whichever is less.

Section 6. This ordinance shall take effect immediately.

This General Ordinance was adopted as amended.

Aye: Breen, Collins-Bellamy, Robinson, and Rubbo

Nay: Merante, and Pineda Isaac

Absent: Diaz

2. [RES.36-2025](#) RESOLUTION ISSUING A HOME RULE MESSAGE FOR SENATE BILL NO. S432 AND ASSEMBLY BILL NO. A5329, AN ACT TO AMEND THE LOCAL FINANCE LAW, IN RELATION TO THE MORTGAGE RECORDING TAX OF THE CITY OF YONKERS

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; and

WHEREAS, this Mortgage Recording Tax is set to expire by operation of law on August 31, 2025, 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 revenues and expenditures of the City of Yonkers; and

WHEREAS, Senate Bill No. S432 and Assembly Bill No. A5329 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. S432 and Assembly Bill No. A5329 to amend Section 253-d of Article 11 of the New York State Tax Law to extend until August 31, 2027, 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.

Aye: Breen, Collins-Bellamy, Merante, Pineda
Isaac, Robinson, and Rubbo

Absent: Diaz

3. [RES.37-2025](#) RESOLUTION ISSUING A HOME RULE MESSAGE FOR SENATE BILL S433 AND ASSEMBLY BILL A5298 IN RELATION TO BONDS AND NOTES.

WHEREAS, Senate Bill S433 and Assembly Bill A5298 have been introduced in the New York State Legislature for the purposes of extending the City's authority to negotiate serial bonds/notes of Yonkers from June 30, 2025 to June 30, 2026; and

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, 2025 unless it is extended for one (1) year; and

WHEREAS, this legislation 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 issues this Home Rule Request Message for Senate Bill S433 and Assembly Bill A5298 to extending the City's authority to negotiate serial bonds/notes of Yonkers from June 30, 2025 to June 30, 2026; 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.

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

This Resolution was adopted.

Aye: Breen, Collins-Bellamy, Merante, Pineda
Isaac, Robinson, and Rubbo

Absent: Diaz

4. [RES.38-2025](#) RESOLUTION ISSUING A HOME RULE MESSAGE FOR SENATE BILL NO. S434 AND ASSEMBLY BILL NO. A5323, AN ACT TO AMEND THE LOCAL FINANCE LAW, IN RELATION TO THE SALES TAX OF THE CITY OF YONKERS.

WHEREAS, the City of Yonkers currently receives revenue from a three percent and an additional one percent sales tax, the imposition of which are authorized under New York State Tax Law, Article 29, Section 1210; and

WHEREAS, these sales tax provides supplemental revenue to the City of Yonkers; and

WHEREAS, these sales tax are each set to expire by operation of law on November 30, 2025, unless said date is extended; and

WHEREAS, should these sales tax expire, the loss of such revenue at this time will result in a gap between the revenues and expenditures of the City of Yonkers; and

WHEREAS, Senate Bill No. S434 and Assembly Bill No. A5323 have been introduced into the New York State Legislature for the purpose of extending said authorizations.

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. S434 and Assembly Bill No. A5323 to amend Section 1210 of Article 29 of the New York State Tax Law to extend until November 30, 2027, both the three percent and one percent sales 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.

Aye: Breen, Collins-Bellamy, Merante, Pineda
Isaac, Robinson, and Rubbo

Absent: Diaz

5. [RES.39-2025](#) RESOLUTION ISSUING A HOME RULE MESSAGE FOR SENATE BILL S436 AND ASSEMBLY BILL A5319, IN RELATION TO INCOME TAX OF THE CITY OF YONKERS

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, 2025 unless said date is extended; and

WHEREAS, a necessity continues to exist for the revenues generated by the Income Tax Surcharge and the Non-resident Earnings tax in order to balance the budget in future fiscal years; and

WHEREAS, Senate Bill No. S436 and Assembly Bill No. A5319 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 passage of Senate Bill No. S436 and Assembly Bill No. A5319 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, 2027 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.

Aye: Breen, Collins-Bellamy, Merante, Pineda
Isaac, Robinson, and Rubbo

Absent: Diaz

6. [RES.40-2025](#) RESOLUTION APPROVING AN AGREEMENT BETWEEN THE YONKERS BOARD OF EDUCATION/YONKERS PUBLIC SCHOOLS AND THE CIVIL SERVICE EMPLOYEES ASSOCIATION INC., YONKERS NON-TEACHING UNIT 9169, LOCAL 1000

WHEREAS, the Yonkers Board of Education/Yonkers Public Schools (“BOE”) and the Civil Service Employees Association Inc., Yonkers Non-Teaching Unit 9169, Local 1000, American Federation of State, County and Municipal Employees, AFL-CIO, Westchester Local 860 (“CSEA”) have agreed to a successor collective bargaining agreement effective between July 1, 2022 through June 30, 2027 (“Successor Agreement”); and

WHEREAS, the Trustees of the BOE and the membership of the CSEA have ratified the Successor Agreement; and

WHEREAS, pursuant to Article VI of that certain Inter-municipal Agreement, dated June 2014, by and between the City of Yonkers and the BOE, the City must approve all collective bargaining agreements by and between the BOE and its collective bargaining units; and

NOW, THEREFORE, BE IT RESOLVED, that the Successor Agreement between the BOE and CSEA dated January 17, 2025, which is attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the above constitutes a “Type II” action under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR Part 617, which is an action determined not to have a significant effect on the environment and therefore does not require further environmental review.

This Resolution was adopted.

Aye: Breen, Collins-Bellamy, Merante, Pineda
Isaac, Robinson, and Rubbo

Absent: Diaz

7. [RES.41-2025](#) SETTLEMENT - CHRISTIAN JIMENEZ AND DAVID SANTOS VS COY - \$30,000.00

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

That the settlement by the Corporation Counsel in the amount of THIRTY THOUSAND DOLLARS and 00/100 (\$30,000.00), with \$15,000.00 being paid to plaintiff, Christian Jimenez and \$15,000.00 being paid to plaintiff David Santos in the matter entitled "CHRISTIAN JIMENEZ and DAVID SANTOS, Plaintiffs, v. THE CITY OF YONKERS, YONKERS FIRE DEPARTMENT and TIMOTHY OCONNELL, Defendants," for personal injuries arising out of an incident on March 5, 2021 when plaintiffs were in a motor vehicle parked on Linden Street near its intersection with Poplar Street in the City of Yonkers when their motor vehicle was struck by a City of Yonkers Firetruck, causing personal injury to both Plaintiffs, and the same is hereby approved and the Comptroller of the City of Yonkers is directed to draw his warrant in the amount of Thirty Thousand Dollars (\$30,000.00) in favor of said plaintiffs and their attorneys HARMON, LINDER AND ROGOWSKY, ESQS., 3 Park Avenue, 23rd Floor, New York, NY 10016.

This Resolution was adopted.

Aye: Breen, Collins-Bellamy, Merante, Pineda
Isaac, Robinson, and Rubbo

Absent: Diaz

8. [RES.42-2025](#) SETTLEMENT - JULIO SUAREZ VS COY - \$ 75,000.00

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

That the settlement by the Corporation Counsel in the amount of SEVENTY-FIVE THOUSAND DOLLARS AND 00/100 (\$75,000.00) of the action entitled, "JULIO SUAREZ, Plaintiff, against THE CITY OF YONKERS, et. al., Defendants", for personal injuries arising out of a Yonkers Police Department arrest of the plaintiff that occurred on May 26, 2020, 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 SEVENTY-FIVE THOUSAND DOLLARS AND 00/100 (\$75,000.00) in favor of said plaintiff, FRIEDMAN, LEVY, GOLDFARB, GREEN & BAGLEY, P.C. AS ATTORNEY FOR JULIO SUAREZ.

This Resolution was adopted.

Aye: Breen, Collins-Bellamy, Merante, Pineda
Isaac, Robinson, and Rubbo

Absent: Diaz

- 8A. [SO.13-2025](#) A SPECIAL ORDINANCE AMENDING THE BUDGET FOR THE CITY OF YONKERS FOR THE 2024/2025 FISCAL YEAR IN RELATION TO TRANSFERRING FUNDS TO AND FROM VARIOUS ACCOUNTS FOR THE PURPOSE OF: 1) JUDGMENT AND CLAIMS, 2) SENIOR CITIZEN TAX ABATEMENT, 3) WORKER'S COMP POLICE 207C, 4) WORKER'S COMP AWARDS, 5) CORPORATION COUNSEL PROFESSIONAL FEES, 6) FIRE 207A SUPP PENSION, 7) PAYING AGENT BOND NOTE EXPENSE, 8) ADMIN INCOME TAX, 9) SNOW AND ICE CONTROL STREET MAINTENANCE MATERIAL, 10) SNOW AND ICE CONTROL OVERTIME, 11) PBA WELFARE FUND, 12) ADMINISTRATIVE ADJUDICATION BUREAU PROFESSIONAL FEES, 13) WATER FUND MOTOR VEHICLES, AND 14) WATER FUND CAPITAL CONSTRUCTION.

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

Section1. The budget for fiscal year 2024/2025 is hereby amended by transferring funds as follows:

This Special Ordinance was adopted.

Aye: Breen, Collins-Bellamy, Merante, Pineda
Isaac, Robinson, and Rubbo

Absent: Diaz

This Resolution was adopted.

Aye: Breen, Collins-Bellamy, Merante, Pineda
Isaac, Robinson, and Rubbo

Absent: Diaz

COMMITTEE REPORTS
