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## Feds subpoena Yonkers City Council

YONKERS – The FBI has served a wide-ranging federal grand jury subpoena on the City Council seeking documents, including agendas, tapes of meetings and voting records, dating back to the beginning of 2004.

The subpoena does not specify the nature of the U.S. Attorney's investigation. A source familiar with the probe, however, said it was related to the council's handling of the controversial \$600 million Ridge Hill development on the city's east side.

Herbert Hadad, a spokesman for U.S. Attorney Michael Garcia, declined to comment.

Several city officials reached yesterday said they did not know anything about the target of the investigation. The council's extensive, more than two-year deliberation of an environmental review and zoning change related to the project began in early 2004.

The review and zoning change were approved by the council last year, but not before two lawsuits: one in which members of the council sued one another over a related vote in late 2005 and another by neighboring Greenburgh, two of its villages and individuals opposed to the project.

Ridge Hill developer Forest City Ratner plans 1,000 residences, 1.3 million square feet of retail space and entertainment venues on the 81-acre site between the New York State Thruway and Sprain Brook Parkway.

Ed Tagliaferri, a spokesman for the developer, said, "This is the first we've heard of (the subpoena)," and declined to comment further.

Harvey Kaminsky, a lawyer for the council's Democratic majority, said the council would comply with the request. The public is entitled to all the material under the state's Freedom of Information Law, he said.

"(A subpoena) sounds better. It has more sex appeal," he said.

Kaminsky said it did not surprise him that Ridge Hill is potentially connected to the investigation, but he had not heard that.

"I don't know," he said. "I don't have any specific knowledge."

The two-page subpoena was dated Friday. It was addressed to City Council President Chuck Lesnick, who

came to office in 2006. It references a section of federal law having to do with general conspiracy.

The subpoena calls for the records to be delivered to a federal grand jury in White Plains at 10 a.m. March 15 or handed over to an FBI agent at the bureau's White Plains office for delivery to the grand jury.

City Clerk Joan Deierlein said the U.S. Attorney's Office would not be more specific about what it was looking at when representatives first contacted her last week. She said she hired a temp to pull the vast amount of documents together in such a short time.

Five members of the City Council reached yesterday said, to their knowledge, no individuals connected to the city had been subpoenaed or contacted by federal authorities in connection with the probe. City spokesman David Simpson also said he was not aware of any members of the city's administration being contacted.

Lesnick, a Democrat, said he received the subpoena Friday and distributed copies to other council members Tuesday so they were aware of it. He added that he did not know why the U.S. Attorney's Office is focusing on the Yonkers City Council.

"There have been no accusations about anything," he said. "Not even rumors."

Councilman Dennis Robertson, D-3rd District, also said he had no idea what prompted the probe but planned to cooperate.

"Whatever it is, if there's any corruption or wrongdoing in government, I hope they find it," he said.

Councilwoman Sandy Annabi, D-2nd District, also said she did not know why the federal authorities were asking for council records.

"All I saw was the (subpoena) papers. It's very vague," she said. She declined to discuss it further, saying she wanted to consult with Kaminsky.

Councilmen Liam McLaughlin, R-4th District, and John Murtagh, R-5th District, said they didn't know anything about the probe.

Councilwomen Patricia McDow, D-1st District, and Dee Barbato, R-6th District, did not return phone calls yesterday.

### **Read the subpoena**

To see a copy of the federal subpoena, go to <http://www.nyjnews.com/dc053.pdf>.