



**COMMON COUNCIL  
AGENDA  
REGULAR STATED MEETING  
JANUARY 3, 2017  
7:30 P.M.**

**PLEDGE TO THE FLAG:** Hon. John Martin

**ROLL CALL:** City Clerk

**RECOGNITION:** Michael Hunter  
Youth of the Year

**OATH OF OFFICE:** Hon. Elizabeth Shollenberger  
White Plains City Court Judge

**APPOINTMENT:**

1. Communication from the Mayor in relation to the appointment/re-appointment of Millie Castro, Sidia Cortes, Emily Rowe-Smith, Kenneth Creary, Stephen Walfish, Rosa Boone-Morgan, June DeMarco, Mary Perri, Paul Rutkowski, and Hon. Dennis Power, as Chairman, to the Community Development Citizens Advisory Committee. **F/S/A**
2. Communication from the Council President recommending the re-appointment of Denise D'Ambrosio, Denise Matthews-Serra, and Thomas Scherer to the Library Board to terms which will expire on December 31, 2019. **F/S/A**
3. Communication from the Mayor in relation to Youth Board re-appointments of Henry C. McCants, Tonya Wilson, Erwin Gilliam, Elizabeth Mark, and Hon. Nadine Hunt-Robinson as Chair, to terms which will expire on December 31, 2019, Ybelize N. Pilarte and Katrina Jackson, to terms which will expire on December 31, 2018, and Sylvester Price, Thelma Davenport-Tulloch and Timothy Baird to terms which will expire on December 31, 2017. **F/S/A**

**LOCAL LAW:**

4. Public Hearing in relation to Local Law Introductory No. 2 of 2016, which would provide for the abatement of taxes pursuant to the Real Property Tax Law for the alteration or rehabilitation of historic properties. **OPENED/CLOSED**
5. Local Law Introductory No. 2 of 2016. A Local Law providing for the abatement of taxes pursuant to Section 444-a of the Real Property Tax Law for the alteration or rehabilitation of historic properties. **ADOPTED 7 - 0**

**ADJOURNED**  
**PUBLIC HEARING:**

6. Public Hearing on a proposed amendment to the Zoning Ordinance to add ‘Nursery Business’ as a Special Permit Use, and add “Organic Manufacturing” as a Principal Permitted Use. **OPENED/CLOSED**
7. Environmental Findings Resolution **ADOPTED**
8. Ordinance amending an ordinance entitled the Zoning Ordinance of the City of White Plains by adding “Nursery Business” as a Special Permit Use and adding “Organic Manufacturing” as a principally permitted use. **ADOPTED AS AMENDED 6 - 0. NAY: Mr. Krolian**
9. Public Hearing in relation to proposed de-mapping and sale of a 4,522 parcel of City owned land by One DeKalb LLC in relation to the application for Special Permit in accordance with Section 5.3, Footnote (t) of the Zoning Ordinance of the City of White Plains (“Zoning Ordinance”), to construct a six (6) story (65 foot) 77 unit apartment building, including 103 parking spaces at One DeKalb Avenue (Section 125, Block 84, Lots 1,2,3,16 and 17), located within the RM-1 Zoning District. **OPENED/ADJOURNED TO FEB 6, 2017**
10. Public Hearing in relation to the application submitted on behalf of One DeKalb LLC (“Applicant”), the owner of One DeKalb Avenue, for approval of a Special Permit in accordance with Section 5.3, Footnote (t) of the Zoning Ordinance of the City of White Plains (“Zoning Ordinance”), to construct a six (6) story (65 foot) 77 unit apartment building, including 103 parking spaces at One DeKalb Avenue (Section 125, Block 84, Lots 1,2,3,16 and 17), located within the RM-1 Zoning District. **OPENED/ADJOURNED TO FEB 6, 2017**

**PUBLIC HEARINGS:**

11. Public Hearing in relation to the application submitted on behalf of Westmoreland Lofts, LLC, (“Applicant”), the owner of property located at 136-158 Westmoreland Avenue located in the LI-M Zoning District for approval of a Special Permit to construct a five (5) story mixed use building containing 62 apartments, above ground floor commercial uses, and the proposed building would contain a 1,600 square foot retail store along

with 2,700 square foot micro-brewery, at the ground level, along with amenity and lobby space for building residents, with 97 parking spaces located beneath and behind the proposed building. **OPENED/CLOSED**

**ITEMS 12 - 22 F/S**

12. Communications from Commissioner of Building
13. Design Review Board
14. Commissioner of Planning
15. Planning Board
16. Commissioner of Public Safety
17. Commissioner of Public Works
18. Deputy Commissioner, Traffic Division
19. Transportation Commission
20. Commissioner of Parking
21. Westchester County Planning Board
22. Environmental Officer

23. Environmental Findings Resolution **ADOPTED**

24. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of Westmoreland Lofts, LLC, ("Applicant") for Special Permit and Site Plan Approval in connection with the proposed mixed use development of the property located at 136-158 Westmoreland Avenue (Section 130.25, Block 4, Lots 2, 3, and 4), including a five and one-half story, approximately 70 foot mixed use building with sixty two (62 dwelling units on floors two through five and ground floor non-residential retail and light manufacturing space, such building being located in the LI-M Light Industrial Residential Mixed Use Zoning District, and further approving payment by the Applicant of a Fee-in-Lieu of park or recreational facilities on site in the amount of \$174,000 to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property by the City of White Plains, to mitigate the recreational impact of the new multi-family project in accordance with General City Law Section 27-A. **ADOPTED**

**FIRST READING**

**ORDINANCES:**

25. Communication from Corporation Counsel in relation to certain tax review proceedings.  
**F/S**
26. Ordinance authorizing the settlement of certain tax review proceedings.  
**ADOPTED 7 - 0**
27. Communication from the Mayor in relation to an agreement between the City and the New York State Empire State Development to accept a grant award of up to \$490,000 to promote tourism in the City of White Plains. **TABLED TO FEBRUARY 6, 2017**

28. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into an agreement with New York State Empire State Development to accept, on behalf of the City of White Plains, a grant award of up to \$490,000 to promote tourism in the City of White Plains. **TABLED TO FEBRUARY 6, 2017**
29. Communication from Chairman, Capital Projects Board, to amend the Capital Projects Fund by amending Capital Project No. C5456, Fire Hose Replacement. **F/S**
30. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by amending Capital Project No. C5456, entitled, Fire Hose Replacement. **ADOPTED 7 - 0**
31. Bond Ordinance dated January 3, 2017, authorizing the issuance of an additional \$53,300 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the purchase fire fighting apparatus. **ADOPTED 7 - 0**
32. Communication from Chairman, Capital Projects Board, to establish Capital Project No. C5488, Protector Clothing Extractors and Dryers. **F/S**
33. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. 5488, entitled, Protector Clothing Extractors and Dryers. **ADOPTED 7 - 0**
34. Bond Ordinance dated January 3, 2017, authorizing the issuance of \$78,800 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the costs of the purchase and installation of fire fighting apparatus. **ADOPTED 7 - 0.**
35. Communication from Commissioner of Finance in relation to a transfer of unexpended funds from the Katrina Disaster Relief Fund to the General Fund. **F/S**
36. Ordinance authorizing the transfer of unexpended funds from the Katrina Disaster Relief Fund to the General Fund. **ADOPTED 7 - 0**
37. Communication from Director, Youth Bureau, in relation to an award in the amount of \$184,030 from the County of Westchester Department of Community Mental Health to continue funding of the Project Hope Program through the N.Y.S. Office of Alcoholism and Substance Abuse Services. **F/S**
38. Ordinance of the Common Council of the City of White Plains authorizing the Mayor to enter into a contract with the County of Westchester Department of Community Mental Health in order to receive \$184,030 in funding to continue the Project Hope Program through the New York State Office of Alcoholism and Substance Abuse Services (OASAS), providing Alcohol and Substance

Prevention Services to the City of White Plains. **ADOPTED 7 - 0**

39. Communication from Director, Youth Bureau, in relation to an ordinance amending a previously approved ordinance to accept increased funding in the amount of \$8,423.98 from Planned Parenthood Hudson Peconic, Inc., in support of the Comprehensive Adolescent Pregnancy Prevention Program. **F/S**
40. Ordinance authorizing the Mayor or his designee to enter into an agreement amending the sub-contract with Planned Parenthood Hudson Peconic, Inc., a contractor for the New York State Department of Health, to extend the subcontract for an additional six months and increasing the grant funding by \$8,423.98, for a total of \$40,739, for the City of White Plains to support the Comprehensive Adolescent Pregnancy Prevention Program (CAPP) and to amend the FY 2016/2017 Youth Development Fund to reflect said grant increase. **ADOPTED 7 - 0**
41. Communication from Director, Youth Bureau, in relation to a contribution from the Friends of the White Plains Youth Bureau in the amount of \$12,584, to support the High School Boy's Saturday Academy Program. **F/S**
42. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to accept a contribution from the Friends of the White Plains Youth Bureau of \$12,584, to support the Youth Bureau's existing High School Boy's Saturday Academy Program for the period July 1, 2016 to June 30, 2017, and to authorize the Mayor to direct the Budget Director to amend the Youth Development Fund accordingly. **ADOPTED 7 - 0**
43. Communication from Director, Youth Bureau, in relation to a contribution from the Friends of the White Plains Youth Bureau in the amount of \$10,000 to support the Young Boy's Mentoring Program. **F/S**
44. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to accept a contribution from the Friends of the White Plains Youth Bureau of \$10,000 to support the Young Boy's Mentoring Program for the period July 1, 2016 to June 30, 2017, and to authorizing the Mayor to direct the Budget Director to amend the Youth Development Fund accordingly. **ADOPTED 7 - 0.**
45. Communication from Commissioner of Public Works in relation to an agreement between the City of White Plains and Kent Trans-Americas Clothing Corp., Inc., to provide textile recycling services at the Gedney Recycling Center. **F/S**
46. Ordinance of the Common Council of the City of White Plains authorizing the execution of an agreement between the City of White Plains and Kent Trans-Americas Clothing Corp., Inc., d/b/a Trans-Americas Textile Recycling Company. **ADOPTED 7 - 0**

47. Communication from Commissioner of Public Works in relation to a Customer Installation Commitment with the New York Power Authority to install LED street lighting in the City of White Plains. **F/S**
48. Ordinance of the Common Council of the City of White Plains authorizing the Commissioner of Public Works or his designee to enter into a Customer Installation Commitment with the New York Power Authority to install LED street lighting in the City of White Plains. **ADOPTED 5 - 0. NAYS: Mr. Krolian and Mrs. Lecuona**
- 48a. Communication from Commissioner of Finance in relation to an Installment Purchase Contract in an amount not to exceed \$4,427,000 to finance the costs of the acquisition and installation of LED street lights for the City. **F/S**
- 48b. Ordinance authorizing the Commissioner of Finance to enter into an Installation Purchase Agreement in an amount not to exceed \$,427,000 to finance the costs of the acquisition and installation of LED street lights for the City. **ADOPTED 5 - 0. Nays: Mr. Krolian and Mrs. Lecuona**
49. Communication from Chairman, Transportation Commission, in relation to amendment to the Traffic Ordinance at various locations around the City. **F/S**
50. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to modifying "Loading Zones" to allow the Loading Zones to be active from 6AM to 9PM Monday through Saturday and to allow more than one summons for violations and modifying "Traffic Control Signals" at the intersection of Westview at North Broadway. **ADOPTED 7 - 0.**

#### **RESOLUTIONS:**

51. Communication from Corporation Counsel in relation to the scheduling of a public hearing for February 6, 2017, in relation to a Special Permit and Site Plan Application submitted on behalf of Danone Foods, Inc., and the Dannon Company, Inc., to redevelop a portion of 100 Bloomingdale Road (a/k/a 1 Maple Avenue), for its headquarters and accessory food laboratory. **F/S**
52. Communication from the Commissioner of Building **F/S AND REFERRED TO LAW, BUILDING DEPT., DESIGN REVIEW BOARD, PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., CONSERVATION BOARD, WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**
53. Resolution of the Common Council of the City of White Plains scheduling a public hearing for February 6, 2017, in relation to the application submitted on

behalf of Danone Foods, Inc., (“Applicant”), a prospective tenant of One Maple Avenue (a/k/a) 100 Bloomingdale Road, “The Source”, with the authorization of Bloomingdale Investors, LLC, the landlord, for approval of a Special Permit under Section 6 of the Zoning Ordinance of the City of White Plains (“Zoning Ordinance”), for an Accessory Food Laboratory Use. **ADOPTED**

54. Communication from Corporation Counsel in relation to the scheduling of a public hearing for January 18, 2017, on the proposed establishment of a Community Residence Facility at 22 New York Avenue South, by the Institutes of Applied Human Dynamics, Inc., pursuant to New York State Mental Health Law Section 41.34. **F/S**
55. Resolution of the Common Council of the City of White Plains scheduling of a public hearing for January 18, 2017, on the proposed establishment of a Community Residence Facility at 22 New York Avenue South, by the Institutes of Applied Human Dynamics, Inc., pursuant to New York State Mental Health Law Section 41.34. **ADOPTED**
56. Communication from Commissioner of Finance in relation to the New York State and Locals Retirement System requirement to create a Standard Work Day for authorized positions. **F/S**
57. Resolution to adopt a Standard Work Day for employees. **ADOPTED**
58. Communication from Council President in relation to the recommendation from the Historic Preservation Commission to designate of the Jack Harrington Greenway as a Local Landmark. **F/S**
59. Resolution of the Common Council of the City of White Plains rejecting the designation of property known as the Jack Harrington Greenway, Application No. H-2016-4, submitted by the Historic Preservation Commission to be a Local Landmark. **TABLED TO JANUARY 18, 2017.**
60. Communication from the Environmental Officer in relation to proposed amendments to the Zoning Ordinance to create a new “TD-1 Transit Development 1” District affecting real property known as 200 Hamilton Avenue, on behalf of W.P. Mall Realty, LLC. **F/S**
61. Resolution of the White Plains Common Council declaring its intent to serve as Lead Agency for the environmental review of the proposed amendment to the Zoning Ordinance to create a new “TD-1 Transit Development 1” District affecting real property known as 200 Hamilton Avenue, on behalf of W.P. Mall Realty, LLC. **ADOPTED**

#### **ITEMS FOR REFERRAL:**

62. Communication from the City Clerk in relation to a petition submitted on behalf of W.P.

Mall Realty LLC, to amend the Zoning Ordinance to accommodate the redevelopment of an existing site at 200 Hamilton Avenue (a.k.a. The White Plains Mall). **F/S AND REFERRED TO LAW, BUILDING DEPT., DESIGN REVIEW BOARD, PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**

**ITEMS FOR INFORMATION:**

63. Communication from Deputy Director, Youth Bureau transmitting in relation to the selection of Michael Hunter as Youth of the Year. **F/S**
  
64. Communication from Commissioner of Building transmitting a resolution and supporting report of the Historic Preservation Commission recommending the property known as the "Birthplace of the State of New York Monument" located at Armory Place, 35 South Broadway, be designated a Local Landmark. **F/S**
  
65. Communication from Commissioner of Building transmitting a resolution and supporting report of the Historic Preservation Commission recommending the property known as the Foster/Buckout Burial Grounds" located at 333 Hall Avenue, be designated a Local Landmark. **F/S**