

**COMMON COUNCIL
AGENDA
REGULAR STATED MEETING
February 2, 2015
7:30 P.M.**

PLEDGE TO THE FLAG:

Hon. Milagros Lecuona

ROLL CALL:

City Clerk

APPOINTMENTS:

1. Communication from the Mayor in relation to the appointments of Rosa Boone-Morgan and Lawrence Salley to the White Plains Housing Authority to terms which will expire on December 26, 2019. **F/S/A**

ADJOURNED

PUBLIC HEARINGS:

2. Public Hearing in relation to the application submitted by Daniel J. Coughlan, Proprietor, on behalf of Coughlan, Inc., for a renewal of a Special Permit to operate a cabaret at The Coliseum located at 15 South Broadway. **Open/Adjourned to March 2, 2015**
3. Public Hearing in relation to the application submitted on behalf of Executive Billiards Inc., ("Applicant") for a Special Permit to operate a cabaret at Executive Billiards located at 109 Mamaroneck Avenue. **Opened/Adjourned to March 2, 2015.**
4. Public Hearing in relation to the application submitted on behalf of Ron Blacks Beer Hall for a renewal of a Special Permit to operate a Cabaret at Ron Blacks Beer Hall, located at 181 Mamaroneck Avenue. **Opened/Adjourned to March 2, 2015.**

5. Public Hearing in relation to an application submitted on behalf of Ichiro Asian Fusion, Inc., (“Applicant”), for a Special Permit to operate a Cabaret at Ichiro Restaurant, located at 80 Mamaroneck Avenue. **Opened/Adjourned to March 2, 2015**

6. Public Hearing in relation to the application submitted on behalf of Red Plum 888 (“Applicant”) for a Special Permit to operate a Cabaret at The Red Plum Restaurant, located at 91 Mamaroneck Avenue. **Opened/Adjourned to March 2, 2015.**

7. Public Hearing in relation to a proposed amendment to the Zoning Ordinance of the City of White Plains to create a new Light Industrial Mixed Use (LI-M) Zoning District; re-zone certain properties in the Light Industrial (L-I) Zoning District; place the rear portion of certain properties in the Neighborhood Business (B-2-Zoning District; and place portions of certain properties in the (LI-M) Zoning District. **Opened/Closed.**

8. Communication from Deputy Commissioner of Planning **F/S**

9. Resolution of the Common Council of the City of White Plains withdrawing an ordinance formally offered at the November 3, 2014 Meeting of the Common Council and entitled, “An ordinance amending an ordinance entitled, ‘The Zoning Ordinance of the City of White Plains’ with respect to creating a new Light Industrial Mixed Use (LI-M) Zoning District and re-zoning certain properties in the Light Industrial (LI) Zoning District” and closing the public hearing regarding the same. **ADOPTED**

**FIRST READING
ORDINANCES:**

10. Communication from Corporation Counsel in relation to the settlement of various tax review proceeding. **F/S**

11. Ordinance authorizing the settlement of certain tax review proceedings. **ADOPTED 7 - 0**

12. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5444, 20 Ferris Avenue Mold Remediation. **F/S**

13. Communication from Environmental Officer **F/S**

14. Environmental Findings Resolution **ADOPTED**
15. Ordinance of the Common Council of the City of White Plains establishing Capital Project No. C5444 entitled, 20 Ferris Avenue Mold Remediation. **ADOPTED 7 - 0**
16. Bond Ordinance dated February 2, 2015 authorizing the issuance of \$505,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the costs of the acquisition and reconstruction of Class A Buildings for Municipal Use. **ADOPTED 7 - 0**
17. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5443, Community Education Facility. **F/S**
18. Ordinance of the Common Council of the City of White Plains establishing Capital Project No. C5443, Community Education Facility. **ADOPTED 7 - 0**
19. Bond Ordinance, dated February 2, 2015, authorizing the issuance of \$139,900 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the costs of the acquisition and reconstruction of Class A Buildings for municipal use. **ADOPTED 7 - 0**
20. Communication from Commissioner of Public Works in relation to a contract with Verizon New York, Inc., for continued phone service for a period of three years. **F/S**
21. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into a contract with Verizon New York, Inc., for continued phone service. **ADOPTED 7 - 0**
22. Communication from Commissioner of Public Works in relation to the acceptance of a Victorian Style clock donated to the City of White Plains by the White Plains Beautification Foundation in commemoration of the 50th Anniversary of the Foundation. **F/S**
23. Ordinance of the Common Council of the City of White Plains authorizing the mayor to accept, on behalf of the City of White Plains, a donation of a sixteen foot high, Victorian Style, Golden Anniversary Two-Dial Clock, from the White Plains Beautification Foundation (WPBF), and to direct the Commissioner of Public Works to issue various construction contracts, as necessary, for the portion of the installation that will require outside contractor assistance. **ADOPTED 7 - 0**

24. Communication from Commissioner of Recreation and Parks in relation to the proposed Schedule of Fees for Recreation and Parks Programs effective March 1, 2015. **F/S**
25. Ordinance of the Common Council of the City of White Plains establishing and approving a Schedule of User Fees for the White Plains Department of Recreation and Parks. **ADOPTED 7 - 0**
26. Communication from Deputy Commissioner of Planning in relation to a Memorandum of Understanding, among the City of White Plains and Westchester Residential Opportunities, Inc., Westchester County Department of Planning, Westchester Disabled on the Move, Inc., and Westchester Independent Living Center, Inc., to apply for a New York State Housing Trust Fund Access to Home Grant, to be used to help those in need find, secure and maintain decent and affordable housing. **F/S**
27. Ordinance authorizing the Mayor, or his designee, to enter into a Memorandum of understanding among the City of White Plains and Westchester Residential Opportunities, Inc., Westchester County Department of Planning, Westchester Disabled on the Move, Inc., and Westchester Independent Living Center, Inc., to apply for a New York State Housing Trust Fund Access to Home Grant. **ADOPTED 7 - 0**
28. Communication from Commissioner of Parking in relation to a Mobile Pay License Agreement and Custom Design Services Agreement with Passport Parking Inc. to provide services related to the use of mobile telephones to pay for parking at meters. **F/S**
29. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to execute a Mobile Pay License Agreement and Custom Design Services Agreement with Passport Parking Inc., to provide services related to the use of mobile telephones to pay for parking at City of White Plains meters. **ADOPTED 7 - 0**
30. Communication from Deputy Commissioner of Parking in relation to proposed amendments to the Traffic Ordinance. **F/S**
31. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to modifying a "One Hour Parking 7:30 A.M. t 6:30 P.M." Zone on the south side of Holland Avenue; creating a "Three Hour Parking" Zone on the south side of Holland Avenue; and modifying "Stop Intersections" for Scott Circle traffic. **ADOPTED 7 - 0**

RESOLUTIONS:

32. Communication from the Deputy Commissioner of Planning in relation to the

proposed Westchester Avenue Urban Renewal Project, Project No. WPUR-14, and scheduling a public hearing for March 2, 2015. **F/S**

33. Communication from Planning Board **F/S**
34. Resolution of the Common Council of the City of White Plains scheduling a public hearing for March 2, 2015 in relation to the approval of an Urban Renewal Plan for the Westchester Avenue Urban Renewal Project, Project No. WPUR-14, entitled, "Westchester Avenue Urban Renewal Area Project No. WPUR-14 Phase I Urban Renewal Plan."
ADOPTED
35. Communication from Corporation Counsel in relation to a proposed amendment to the Zoning Ordinance with regard to parking space requirements for larger retail centers outside the Central Parking Area, currently requiring 5.7 spaces per 1000 square feet for smaller scale isolated retail sites, and recommending a change for sites above 150,000 square feet, which have their own separate parking facility, to a more appropriate rate of 4.0 spaces per 1000 square feet, and scheduling a public hearing for March 2, 2015. **F/S**
36. Communication from Planning Board **F/S**
37. Resolution of the Common Council of the City of White Plains scheduling a public hearing for March 2, 2015, in relation to the proposed amendment to Section 8.3 of the Zoning Ordinance of the City of White Plains with respect to the parking requirements for "Stores for Sales at Retail or Performance of Customary Personal Services or Services Clearly Incident to Retail Sales, Including 'Cafes' and 'Real Estate Offices', but not Including Sales and Automobile Parts and Accessories Including Installation at the Point of Sale," by adding a new parking requirement for the certain use of "Retail Stores" of 4.0 spaces per 1,000 square feet of floor area, where the use is located outside of the Central Parking Area (CPA), and has a gross floor area of at least 150,000 square feet. **ADOPTED**
38. Communication from the Mayor in relation to a Home Rule Request seeking enactment of New York State Legislation extending the City of White Plains' ability to retain the additional one-half of one percent (½%), the Additional one-quarter of one percent (¼%), and the additional one-quarter of one percent (¼%) of the local Sales and Compensating Use Tax (for a total of two and one-half (2 ½%), to August 31, 2017. **F/S**
39. Resolution authorizing the certification of a Home Rule Request seeking enactment of State Legislation amending Section 1210 of the Tax Law to extend the Sunset Provision in relation to the Local Sales Tax retained by the City of White Plains (Assembly Bill No. A00222) (Senate Bill No. S00723). **ADOPTED**

40. Communication from the Mayor in relation to a Home Rule Request from the City of White Plains seeking enactment of New York State Legislation to amend Article 18-A of General Municipal Law to establish a City of White Plains Industrial Development Agency. **F/S**
41. Resolution of the Common Council of the City of White Plains authorizing the certification of a Home Rule Request seeking enactment of State Legislation amending the General Municipal Law to establish the White Plains Industrial Development Agency (Assembly Bill No. A01469) (Senate Bill No. S02320). **ADOPTED**
42. Communication from the City Clerk in relation to the establishment of the Journal News as the Official Newspaper of the City of White Plains as it relates to legal public notices. **F/S**
43. Resolution designating the Journal News as the Official Newspaper of the City of White Plains for the purpose of public notices. **ADOPTED**

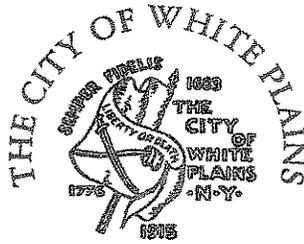
ITEM FOR REFERRAL:

44. Communication from Commissioner of Building in relation to proposed amendments to the Zoning Ordinance with respect to Special Permit Uses in Non-Residential Districts, revising the definition of “Cabaret” and adding the definition of “Primary Cabaret” and “Accessory Cabaret”, and proposed amendment to the White Plains Municipal Code “Cabarets” by amending Article I of Chapter 4-4 in its entirety and amending Section 4-4-30 of Article II of Chapter 4-4. **F/S AND REFERRED TO: LAW, BUILDING DEPT., PLANNING DEPT., PLANNING BOARD; PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPARTMENT, WESTCHESTER COUNTY PLANNING BOARD, ENVIRONMENTAL OFFICER.**

ITEMS FOR INFORMATION:

45. Communication from Commissioner of Finance transmitting the Capital Improvement Program Status Report for the six months ending December 31, 2014. **F/S AND FILE ATTACHMENT**
46. Communication from Commissioner of Finance transmitting the Interim Financial Report for the six months ending December 31, 2014. **F/S AND FILE ATTACHMENT**
47. Communication from the Chairman, Capital Projects Board, transmitting the

City's Capital Improvement Program for Fiscal Year 2015-2016 and the succeeding five years. **F/S AND FILE ATTACHMENT.**



**"The Birthplace of the State of New York"
OFFICE OF THE MAYOR**

**THOMAS M. ROACH
MAYOR**

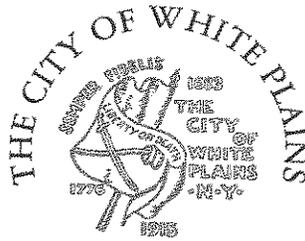
**t:914.422.1411
f:914.422.1395**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL:

I am pleased to announce the re-appointment of Rosa Boone-Morgan and Lawrence Salley to the White Plains Housing Authority to terms which will expire on December 26, 2019.

Thomas M. Roach
Mayor

Dated: January 27, 2015
(For the Common Council Meeting
of February 2, 2015)



PLANNING DEPARTMENT
70 Church Street, White Plains, New York 10601
(914) 422-1300 Fax: (914) 422-1301
E-Mail: Planning@whiteplainsny.gov

THOMAS M. ROACH
MAYOR

LINDA K. PUOPLO
DEPUTY COMMISSIONER

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF THE
CITY OF WHITE PLAINS

The Common Council, at a meeting held on November 3, 2014, received a proposed Zoning Ordinance amendment entitled "An Ordinance Amending an Ordinance Entitled 'The Zoning Ordinance of the City of White Plains' with Respect to Creating a New Light Industrial Mixed Use (LI-M) Zoning District and Re-Zoning Certain Properties in the Light Industrial (LI) Zoning District," submitted by the then Commissioner of Planning by a communication dated October 30, 2014. The proposed legislation was referred by the Common Council to the Law Department, Environmental Officer and the Planning Board pursuant to Section 12 of the Zoning Ordinance.

At its meeting held on December 1, 2014, the Common Council received communications dated November 20, 2014 and November 24, 2014 respectively, from the Planning Board and Corporation Counsel determining, *inter alia*, that the proposed aforementioned ordinance was in appropriate form, and recommending that a public hearing be scheduled. The Common Council then adopted a resolution scheduling a public hearing for January 5, 2015 on said ordinance.

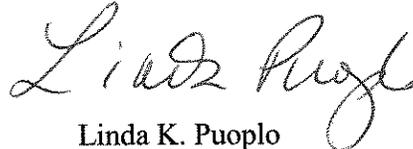
At the January 5, 2015 meeting of the Common Council, the public hearing was opened, and a communication from the then Commissioner of Planning dated December 18, 2014 was received, recommending additional changes to the proposed ordinance. The Common Council referred the revised proposed ordinance to the appropriate City agencies, departments, boards and commissions and the Westchester County Planning Board for review and recommendations pursuant to Section 12 of the Zoning Ordinance. The public hearing was then adjourned to the February 2, 2014 meeting of the Common Council.

Based upon a further review from City staff, the then Commissioner of Planning, and comments received from the public, it is recommended that additional revisions be made to the revised proposed ordinance. The aforementioned revised legislation will be submitted in the near future so that a new public hearing on the Zoning Ordinance amendment may be scheduled. Accordingly, attached herewith is a resolution withdrawing the proposed Zoning Ordinance amendment transmitted by the then Commissioner of Planning by communications dated October 30, 2014 and December 18, 2014, entitled "An Ordinance Amending an Ordinance

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Entitled 'The Zoning Ordinance of the City of White Plains' with Respect to Creating a New Light Industrial Mixed Use (LI-M) Zoning District and Re-Zoning Certain Properties in the Light Industrial (LI) Zoning District," from further consideration and closing the public hearing regarding same.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda K. Puoplo". The signature is written in a cursive, flowing style.

Linda K. Puoplo
Deputy Commissioner

Dated: January 28, 2015
(For the February 2, 2015 Common Council Meeting)

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS WITHDRAWING AN ORDINANCE FORMALLY OFFERED AT THE NOVEMBER 3, 2014 MEETING OF THE COMMON COUNCIL AND ENTITLED "AN ORDINANCE AMENDING AN ORDINANCE ENTITLED 'THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS' WITH RESPECT TO CREATING A NEW LIGHT INDUSTRIAL MIXED USE (LI-M) ZONING DISTRICT AND RE-ZONING CERTAIN PROPERTIES IN THE LIGHT INDUSTRIAL (LI) ZONING DISTRICT" AND CLOSING THE PUBLIC HEARING REGARDING SAME.

WHEREAS, at the Common Council meeting held on November 3, 2014, a proposed Zoning Ordinance amendment entitled "An Ordinance Amending an Ordinance Entitled 'The Zoning Ordinance of the City of White Plains' with Respect to Creating a New Light Industrial Mixed Use (LI-M) Zoning District and Re-Zoning Certain Properties in the Light Industrial (LI) Zoning District," was submitted by the then Commissioner of Planning by a communication dated October 30, 2014, and was referred by the Common Council to the Law Department, Environmental Officer and the Planning Board pursuant to Section 12 of the Zoning Ordinance; and

WHEREAS, at the Common Council meeting held on December 1, 2014, in communications dated November 20, 2014 and November 24, 2014 respectively, the Planning Board and Corporation Counsel determined, *inter alia*, that the proposed aforementioned ordinance was in appropriate form, and a resolution scheduling a public hearing for January 5, 2015 on said ordinance, was adopted by the Common Council; and

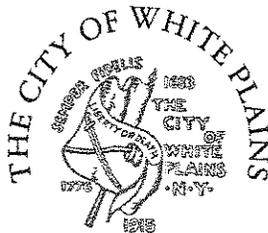
WHEREAS, at the January 5, 2015 meeting of the Common Council, the public hearing was opened, and a communication from the then Commissioner of Planning dated December 18, 2014 was received, recommending additional changes to the proposed ordinance, and the public hearing was adjourned to the February 2, 2014 meeting of the Common Council; and

WHEREAS, the Common Council, at its January 5, 2015 meeting, referred the revised proposed ordinance to the appropriate City agencies, departments, boards and commissions and the Westchester County Planning Board for review and recommendations pursuant to Section 12 of the Zoning Ordinance; and

WHEREAS, the Common Council, at the adjourned public hearing on February 2, 2014, was advised by City staff that based upon a further review from City staff, the then Commissioner of Planning, and comments received from the public, additional revisions to the proposed ordinance will be submitted in the near future and that a new public hearing on same will be scheduled.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby closes the public hearing regarding same, and withdraws the proposed Zoning Ordinance amendment submitted by the then Commissioner of Planning by communications dated October 30, 2014 and December 18, 2014, entitled "An Ordinance Amending an Ordinance Entitled 'The Zoning Ordinance of the City of White Plains' with Respect to Creating a New Light Industrial Mixed Use (LI-M) Zoning District and Re-Zoning Certain Properties in the Light Industrial (LI) Zoning District," from further consideration.



DEPARTMENT OF LAW

MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601

(914) 422-1241 • FAX (914) 422-1231

JOHN G. CALLAHAN
Corporation Counsel

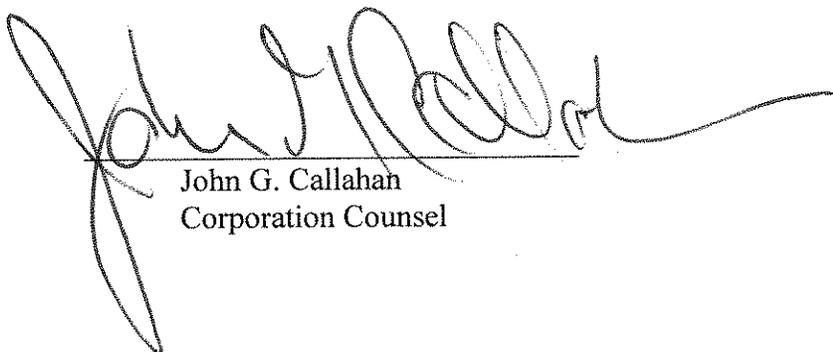
CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

DANIEL K. SPENCER
Deputy Corporation Counsel

To the Honorable Mayor and Members of the Common Council of The City of White Plains:

Submitted herewith is an ordinance authorizing the settlement of tax review proceedings. These proceedings were brought on behalf of the owner(s) or lessee(s) of the properties located at 1 Barker Avenue and 1-11 Martine Avenue, White Plains, NY.

The Law Department has reviewed the proposed settlements with our Assessor, who recommends them. Based upon our review, it is my opinion that the settlements are appropriate and should be accepted. The locations of the properties involved, the reductions in assessed value, as well as the amounts to be refunded, are set forth in the accompanying ordinance.



John G. Callahan
Corporation Counsel

Dated: January 26, 2015
(For the Common Council Meeting
of February 2, 2015)

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AN ORDINANCE AUTHORIZING THE SETTLEMENT OF CERTAIN TAX REVIEW PROCEEDINGS.

WHEREAS, various petitioners have brought proceedings to review the assessed valuation of their premises; and

WHEREAS, the respective attorneys for the petitioners have offered and agreed to settle and discontinue said proceedings on condition that the assessed valuations of said properties be reduced and credits paid according to the following list in accord with the applicable tax rate for credits paid according to the following list in accord with the applicable tax rate for

**White Plains Realty (1 Barker Avenue)
1 Barker Avenue
SBL: 125.67-1-3**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2007/08	\$ 430,000	\$ 310,000	\$ 120,000	\$ 17,031.60
2008/09	\$ 430,000	\$ 302,500	\$ 127,500	\$ 18,802.43
2009/10	\$ 430,000	\$ 267,000	\$ 163,000	\$ 25,600.78
2010/11	\$ 430,000	\$ 298,000	\$ 132,000	\$ 22,152.24
2011/12	\$ 430,000	\$ 325,000	\$ 105,000	\$ 18,491.55
2012/13	\$ 430,000	\$ 350,000	\$ 80,000	\$ 14,757.60
2013/14	\$ 430,000	\$ 358,000	\$ 72,000	\$ 13,805.28
2014/15	\$ 430,000	\$ 325,000	\$ 105,000	<u>\$ 20,594.70</u>
			Total:	<u>\$ 151,236.18</u>

//

**Mack-Cali WP Realty Associates LLP a/k/a Cali WP Realty (1-11 Martine Avenue)
1-11 Martine Avenue
SBL: 125.74-5-3..4005**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2008/09	\$ 166,502	\$ 107,287	\$ 59,215	\$ 8,732.44
2009/10	\$ 166,502	\$ 99,666	\$ 66,836	\$ 10,497.26
2010/11	\$ 166,502	\$ 103,184	\$ 63,318	\$ 10,626.03
2011/12	\$ 166,502	\$ 115,495	\$ 51,007	\$ 8,982.84
2012/13	\$ 166,502	\$ 119,598	\$ 46,904	\$ 8,652.38
2013/14	\$ 166,502	\$ 119,598	\$ 46,904	\$ 8,993.37
2014/15	\$ 166,502	\$ 111,392	\$ 55,110	\$ 10,809.28
			Total:	<u>\$ 67,293.60</u>

**1-11 Martine Avenue
SBL: 125.74-5-3..4006**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2008/09	\$ 166,504	\$ 107,290	\$ 59,214	\$ 8,732.29
2009/10	\$ 166,504	\$ 99,668	\$ 66,836	\$ 10,497.26
2010/11	\$ 166,504	\$ 103,186	\$ 63,318	\$ 10,626.03
2011/12	\$ 166,504	\$ 115,497	\$ 51,007	\$ 8,982.84
2012/13	\$ 166,504	\$ 119,601	\$ 46,903	\$ 8,652.20
2013/14	\$ 166,504	\$ 119,601	\$ 46,903	\$ 8,993.18
2014/15	\$ 166,504	\$ 111,393	\$ 55,111	\$ 10,809.47
			Total:	<u>\$ 67,293.27</u>

**1-11 Martine Avenue
SBL: 125.74-5-3..4007**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2008/09	\$ 166,504	\$ 107,290	\$ 59,214	\$ 8,732.29
2009/10	\$ 166,504	\$ 99,668	\$ 66,836	\$ 10,497.26
2010/11	\$ 166,504	\$ 103,186	\$ 63,318	\$ 10,626.03
2011/12	\$ 166,504	\$ 115,497	\$ 51,007	\$ 8,982.84
2012/13	\$ 166,504	\$ 119,601	\$ 46,903	\$ 8,652.20
2013/14	\$ 166,504	\$ 119,601	\$ 46,903	\$ 8,993.18
2014/15	\$ 166,504	\$ 111,393	\$ 55,111	\$ 10,809.47
			Total:	<u>\$ 67,293.27</u>

**1-11 Martine Avenue
SBL: 125.74-5-3..4008**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2008/09	\$ 154,409	\$ 99,496	\$ 54,913	\$ 8,098.02
2009/10	\$ 154,409	\$ 92,428	\$ 61,981	\$ 9,734.74
2010/11	\$ 154,409	\$ 95,690	\$ 58,719	\$ 9,854.22
2011/12	\$ 154,409	\$ 107,108	\$ 47,301	\$ 8,330.18
2012/13	\$ 154,409	\$ 110,914	\$ 43,495	\$ 8,023.52
2013/14	\$ 154,409	\$ 110,914	\$ 43,495	\$ 8,339.73
2014/15	\$ 154,409	\$ 103,302	\$ 51,107	\$ 10,024.13
			Total:	<u>\$ 62,404.54</u>

**1-11 Martine Avenue
SBL: 125.74-5-3..4009**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2008/09	\$ 154,409	\$ 99,496	\$ 54,913	\$ 8,098.02
2009/10	\$ 154,409	\$ 92,428	\$ 61,981	\$ 9,734.74
2010/11	\$ 154,409	\$ 95,690	\$ 58,719	\$ 9,854.22
2011/12	\$ 154,409	\$ 107,108	\$ 47,301	\$ 8,330.18
2012/13	\$ 154,409	\$ 110,914	\$ 43,495	\$ 8,023.52
2013/14	\$ 154,409	\$ 110,914	\$ 43,495	\$ 8,339.73
2014/15	\$ 154,409	\$ 103,302	\$ 51,107	\$ 10,024.13
			Total:	<u>\$ 62,404.54</u>

**1-11 Martine Avenue
SBL: 125.74-5-3..4010**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2008/09	\$ 154,409	\$ 99,496	\$ 54,913	\$ 8,098.02
2009/10	\$ 154,409	\$ 92,428	\$ 61,981	\$ 9,734.74
2010/11	\$ 154,409	\$ 95,690	\$ 58,719	\$ 9,854.22
2011/12	\$ 154,409	\$ 107,108	\$ 47,301	\$ 8,330.18
2012/13	\$ 154,409	\$ 110,914	\$ 43,495	\$ 8,023.52
2013/14	\$ 154,409	\$ 110,914	\$ 43,495	\$ 8,339.73
2014/15	\$ 154,409	\$ 103,302	\$ 51,107	\$ 10,024.13
			Total:	<u>\$ 62,404.54</u>

**1-11 Martine Avenue
SBL: 125.74-5-3..4011**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2008/09	\$ 152,421	\$ 98,215	\$ 54,206	\$ 7,993.76
2009/10	\$ 152,421	\$ 91,238	\$ 61,183	\$ 9,609.40
2010/11	\$ 152,421	\$ 94,458	\$ 57,963	\$ 9,727.35
2011/12	\$ 152,421	\$ 105,729	\$ 46,692	\$ 8,222.93
2012/13	\$ 152,421	\$ 109,486	\$ 42,935	\$ 7,920.22
2013/14	\$ 152,421	\$ 109,486	\$ 42,935	\$ 8,232.36
2014/15	\$ 152,421	\$ 101,972	\$ 50,499	\$ 9,895.07
			Total:	<u>\$ 61,601.09</u>

**1-11 Martine Avenue
SBL: 125.74-5-3..4012**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2008/09	\$ 152,421	\$ 98,215	\$ 54,206	\$ 7,993.76
2009/10	\$ 152,421	\$ 91,238	\$ 61,183	\$ 9,609.40
2010/11	\$ 152,421	\$ 94,458	\$ 57,963	\$ 9,727.35
2011/12	\$ 152,421	\$ 105,729	\$ 46,692	\$ 8,222.93
2012/13	\$ 152,421	\$ 109,486	\$ 42,935	\$ 7,920.22
2013/14	\$ 152,421	\$ 109,486	\$ 42,935	\$ 8,232.36
2014/15	\$ 152,421	\$ 101,972	\$ 50,499	\$ 9,895.07
			Total:	<u>\$ 61,601.09</u>

**1-11 Martine Avenue
SBL: 125.74-5-3..4013**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2008/09	\$ 152,421	\$ 98,215	\$ 54,206	\$ 7,993.76
2009/10	\$ 152,421	\$ 91,238	\$ 61,183	\$ 9,609.40
2010/11	\$ 152,421	\$ 94,458	\$ 57,963	\$ 9,727.35
2011/12	\$ 152,421	\$ 105,729	\$ 46,692	\$ 8,222.93
2012/13	\$ 152,421	\$ 109,486	\$ 42,935	\$ 7,920.22
2013/14	\$ 152,421	\$ 109,486	\$ 42,935	\$ 8,232.36
2014/15	\$ 152,421	\$ 101,972	\$ 50,499	\$ 9,895.07
			Total:	<u>\$ 61,601.09</u>

WHEREAS, the county and sewer taxes and the school taxes should be payable by the county and school separately if collected and if the settlement is approved by the Supreme Court.

NOW, THEREFORE, the Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The settlement of the aforesaid proceedings in the manner set forth above be and the same hereby is approved.

§2. The Commissioner of Finance, under the direction of the Corporation Counsel, be and is hereby authorized and directed to pay the amount of the refunds stated above, without interest to the petitioners or persons paying such tax or other levy in the manner provided by Section 726 of the Real Property Tax Law. All payments for current year taxes shall be payable from budget code A021- 01110 and all payments for prior year's taxes shall be payable from budget code A021 - 4.201. Payment of the refunds authorized herein with respect to any one of the

aforementioned properties is subject to the payment of any outstanding taxes due on that property, including any interest or penalties due thereon, or the Commissioner of Finance may apply such amount of the refunds authorized with respect to any one of the aforementioned properties to satisfy any outstanding taxes due on that property, including any interest or penalties due thereon.

§3. The Mayor is hereby further authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

§4. This ordinance shall take effect immediately.



**CAPITAL PROJECTS BOARD
MUNICIPAL BUILDING
255 MAIN STREET, WHITE PLAINS, NY 10601
Ph. (914) 422-1206 Fax: (914) 422-1269**

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Capital Projects Board has recommended a capital project for mold remediation at Fire Station #2 (20 Ferris Avenue) in the below-grade rooms which house the Department of Perking, Signal Sign Shop and the Department of Public Works' Forestry and Street Lighting Divisions, as part of the FY 2014-2015 Capital Improvement Program.

Submitted herewith is legislation which would authorize the Mayor to direct the Commissioner of Public Works to enter into various contracts, as necessary, to undertake the renovations at 20 Ferris Avenue. The attached legislation authorizes the Mayor to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. C5444, entitled "**20 Ferris Avenue Mold Remediation**" as follows:

REVENUES

C5444-08810	Serial Bonds	<u>\$505,000</u>
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EXPENDITURES

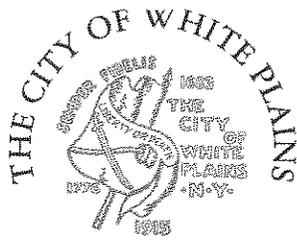
C5444-4.005	Finance and Auditing	\$ 5,000
C5444-8.106	Major Additions-Improvements	<u>500,000</u>
		<u>\$505,000</u>

It is further requested that issuance of \$505,000 in serial bonds be authorized and that the Mayor be authorized to direct the Commissioner of Finance to advance funds to this project pending the receipt of the bond proceeds. Finally, it is requested that the Mayor be authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

Respectfully submitted,

Thomas M. Roach, Mayor
Chairman, Capital Projects Board

February 2, 2015



ENVIRONMENTAL OFFICER

PLANNING DEPARTMENT • 70 CHURCH STREET • WHITE PLAINS, NEW YORK 10601
(914) 422-1300 • FAX: (914) 422-1301

THOMAS M. ROACH
MAYOR

ROD JOHNSON
ENVIRONMENTAL OFFICER

January 26, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: CAPITAL PROJECT NO. C5444
20 FERRIS AVENUE MOLD REMEDIATION

Capital Project No. C5444, 20 Ferris Avenue Mold Remediation, has been reviewed for compliance with the N.Y. State Environmental Quality Review (SEQR) regulations.

This project involves mold remediation at Fire Station #2, in the below grade rooms, where the Traffic Sign Shop and Division of Forestry and Street Lighting are housed.

This project represents a Type II Action under SEQR regulations in that it represents the routine maintenance, repair or standard upgrading of existing municipal facilities. Type II actions are determined under SEQR not to have a significant effect on the environment.

It is recommended that the Common Council (a) designate itself to serve as the Lead Agency for the environmental review of the proposed action; and (b) find the proposed action to be a Type II Action under SEQR regulations, requiring no additional SEQR review or findings.

Respectfully submitted,

Rod Johnson

Environmental Officer

ENVIRONMENTAL FINDINGS RESOLUTION REGARDING
CAPITAL PROJECT NO. C5444
20 FERRIS AVENUE MOLD REMEDIATION

WHEREAS, Capital Project No.C5444, 20 Ferris Avenue Mold Remediation, (hereinafter referred to as "Proposed Action"), has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Proposed Action involves mold remediation at Fire Station #2, in the below grade rooms, where the Traffic Sign Shop and Division of Forestry and Street Lighting are housed; and

WHEREAS, the Environmental Officer has recommended that the Common Council, as approving agency of municipal contracts, designate itself to serve as the Lead Agency for the environmental review of the Proposed Action; and

WHEREAS, the Environmental Officer has further recommended that the Common Council determine that the Proposed Action is a Type II under SEQR regulations in that it represents the routine maintenance, repair or standard upgrading of existing municipal facilities; and

WHEREAS, Type II actions are determined under SEQR not to have a significant effect on the environment; now, therefore, be it

RESOLVED, that the Common Council hereby designates itself Lead Agency for the environmental review of the Proposed Action; and be it further

RESOLVED, that the Common Council hereby determines that the Proposed Action is a Type II Action and that no additional SEQR review or finding is necessary.

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS ESTABLISHING CAPITAL PROJECT NO. C5444 ENTITLED, "20 FERRIS AVENUE MOLD REMEDIATION."

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Capital Projects Board has recommended a capital project for mold remediation at Fire Station #2 in the below grade rooms which house the traffic Sign Shop and the Divisions of Forestry and Street Lighting as part of the FY 2014-2015 Capital Improvement Program.

Section 2. The Mayor is hereby authorized to direct the Commissioner of Public Works to enter into various contracts, as necessary, to undertake the renovations at 20 Ferris Avenue. Said contract(s) shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for the City to effectuate the project, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. C5444, entitled, "**20 Ferris Avenue Mold Remediation,**" as follows:

REVENUES:

C5444-08810	Serial Bonds	<u>\$505,000</u>
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EXPENDITURES:

C5444-4.005	Finance and Auditing	\$ 5,000
C5444-8.106	Major Additions-Improvements	<u>500,000</u>
		<u>\$505,000</u>

15

Section 4. The Mayor is hereby further authorized to direct the Commissioner of Finance to authorize the sale of serial bonds totaling \$505,000 and to advance funds for this project from the General Fund, as necessary, pending receipt of the bond proceeds, and to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect immediately.

**BOND ORDINANCE, DATED FEBRUARY 2, 2015, AUTHORIZING THE
ISSUANCE OF \$505,000 AGGREGATE PRINCIPAL AMOUNT SERIAL
BONDS OF THE CITY OF WHITE PLAINS, COUNTY OF
WESTCHESTER, STATE OF NEW YORK, TO FINANCE THE COSTS
OF THE ACQUISITION AND RECONSTRUCTION OF CLASS A
BUILDINGS FOR MUNICIPAL USE.**

WHEREAS, the Common Council of the City of White Plains (the “City”), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of the costs of acquisition and reconstruction of Class A buildings for municipal use, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$505,000, for which no funds have heretofore been appropriated or borrowed, all in accordance with the Local Finance Law (the “Project”);

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1.

There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$505,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition and reconstruction of Class A buildings for municipal use (the “Project”).

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$505,000, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, (c) the Common Council of the City plans to finance such costs of the Project from the proceeds of

serial bonds authorized herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds, (d) the maturity of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took “official action” for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law (such buildings being of “Class A” construction as that term is defined in the Local Finance Law) and that the period of probable usefulness of the Project is twenty-five (25) years. The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or

facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

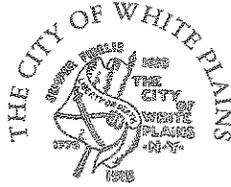
Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The City covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the City, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City’s continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on

behalf of the City, the commitment authorized by the Rule (the "Commitment"), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



**CAPITAL PROJECTS BOARD
MUNICIPAL BUILDING
255 MAIN STREET, WHITE PLAINS, NY 10601
Ph. (914) 422-1206 Fax: (914) 422-1269**

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Capital Projects Board has recommended a capital project for the White Plains Community Education Facility to complete the outfit the new facility with furniture, communication systems, security systems, etc. as part of the FY 2014-2015 Capital Improvement Program.

Submitted herewith is legislation which would authorize the Mayor to direct the Commissioner of Planning to enter into various contracts to undertake the complete outfitting of the new White Plains Community Education Facility, 103 Quarropas Street, White Plains. This new facility is scheduled to open in July 2015. The attached legislation authorizes the Mayor to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. **C5443**, entitled "**Community Education Facility**" as follows:

REVENUES

C5443-03601	Community Development	\$138,675
C5443-08810	Serial Bonds	<u>139,900</u>
		<u>\$278,575</u>

EXPENDITURES

C5443-4.005	Finance and Auditing	\$ 1,380
C5443-8.106	Major Additions-Improvements	<u>277,195</u>
		<u>\$278,575</u>

It is further requested that issuance of \$139,900 in serial bonds be authorized and that the Mayor be authorized to direct the Commissioner of Finance to advance funds to this project pending the receipt of the bond proceeds. Finally, it is requested that the Mayor be authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

Respectfully submitted,

Thomas M. Roach, Mayor
Chairman, Capital Projects Board

February 2, 2015

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS ESTABLISHING CAPITAL PROJECT NO. C5443 ENTITLED, "COMMUNITY EDUCATION FACILITY."

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Capital Projects Board has recommended a capital project for the White Plains Community Education Facility to complete the outfit for the new facility with furniture, communications systems, security systems, etc., as part of the FY 2014-2015 Capital Improvement Program.

Section 2. The Mayor is hereby authorized to direct the Commissioner of Planning or her designee to enter into various contracts, as necessary, to undertake the complete outfitting of the new White Plains Community Education Facility at 103 Quarropas Street. Said contract(s) shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for the City to effectuate the project, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. C5443, entitled, "**Community Education Facility**," as follows:

<u>REVENUES:</u>		
C5443-03601	Community Development	\$138,675
C5443-08810	Serial Bonds	<u>139,900</u>
		<u>\$278,575</u>

EXPENDITURES:

C5443-4.005	Finance and Auditing	\$ 1,380
C5443-8.106	Major Additions-Improvements	<u>277,195</u>
		<u>\$278,575</u>

Section 4. The Mayor is hereby further authorized to direct the Commissioner of Finance to authorize the sale of serial bonds totaling \$139,900, and to advance funds for this project from the General Fund, as necessary, pending receipt of the bond proceeds, and to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect immediately.

BOND ORDINANCE, DATED FEBRUARY 2, 2015, AUTHORIZING THE ISSUANCE OF \$139,900 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE CITY OF WHITE PLAINS, COUNTY OF WESTCHESTER, STATE OF NEW YORK, TO FINANCE THE COSTS OF THE ACQUISITION AND RECONSTRUCTION OF CLASS A BUILDINGS FOR MUNICIPAL USE.

WHEREAS, the Common Council of the City of White Plains (the "City"), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of the costs of acquisition and reconstruction of Class A buildings for municipal use, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$139,900, for which no funds have heretofore been appropriated or borrowed, all in accordance with the Local Finance Law (the "Project");

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$139,900, pursuant to the Local Finance Law, in order to finance the costs of the acquisition and reconstruction of Class A buildings for municipal use (the "Project").

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$139,900, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, (c) the Common Council of the City plans to finance such costs of the Project from the proceeds of serial bonds authorized herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds, (d) the maturity of the

obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took "official action" for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law (such buildings being of "Class A" construction as that term is defined in the Local Finance Law) and that the period of probable usefulness of the Project is twenty-five (25) years. The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon,

if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The City covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the City,

and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

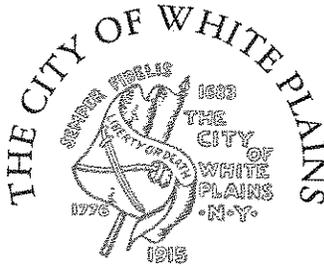
Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or

modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by the Rule (the "Commitment"), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish

procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



DEPARTMENT OF PUBLIC WORKS

MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601
(914) 422-1206 • FAX: (914) 422-1469

THOMAS M. ROACH
MAYOR

JOSEPH J. NICOLETTI, Jr., P.E.
COMMISSIONER / CITY ENGINEER

RICHARD G. HOPE
1ST DEPUTY COMMISSIONER

BRIAN M. MURPHY
2ND DEPUTY COMMISSIONER

**TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF
THE CITY OF WHITE PLAINS**

The City of White Plains has had a long-term contractual relationship with Verizon and its predecessor, Tele-Communications, providers for the provision of telephone services to the City. The aforementioned contracts have been negotiated on terms favorable to the City.

Verizon New York, Inc. ("Verizon") desires to enter into a new three (3) year agreement with the City for a monthly rate of \$18.00 per Centrex line (less than the NY State contract rate of \$23.00) and \$15.74 per POTS line. The term of this three (3) year contract will be measured from the date of the execution of this agreement by all parties. In order for the pricing to remain extant, the City must execute this agreement on or before March 6, 2015. It would be in the best interests of the City to enter into this agreement with Verizon.

Submitted for your consideration is an ordinance authorizing the Mayor or his designee to execute this agreement for telecommunication services to be provided by Verizon.

Respectfully submitted,

Joseph J. Nicoletti, Jr., P.E.
Commissioner of Public Works

Dated: February 2, 2015

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH VERIZON NEW YORK, INC. FOR CONTINUED PHONE SERVICE.

WHEREAS, the City of White Plains has a long standing relationship with Verizon New York, Inc., and its predecessors, for the provision of telephone service to the municipality; and

WHEREAS, the current agreement with this provider has expired and the parties have been negotiating a successor agreement; and

WHEREAS, the term of the contract is for a period of three (3) years, for a monthly rate of \$18.00 per centrex line and \$15.74 per POTS line, and the terms are valid through March 6, 2015, by which time the City must execute the contract or forfeit the deal negotiated; and

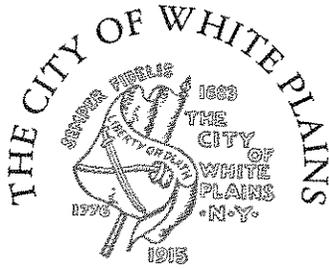
WHEREAS, the parties have concluded their negotiations on terms which are found to be favorable to the City; now therefore

The Common Council hereby ordains and enacts as follows:

Section 1. The Mayor or his designee, be and the same, is hereby authorized to enter into a contract with Verizon New York, Inc. for the provision of telephone services to the City for a term of three (3) years for a monthly rate of \$18.00 per centrex line and \$15.74 per POTS line. Such contract shall be in a form acceptable to the Corporation Counsel.

Section 2. This ordinance shall take effect immediately.

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DEPARTMENT OF PUBLIC WORKS

MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601
(914) 422-1206 • FAX: (914) 422-1469

THOMAS M. ROACH
MAYOR

JOSEPH J. NICOLETTI, Jr., P.E.
COMMISSIONER / CITY ENGINEER

RICHARD G. HOPE
1ST DEPUTY COMMISSIONER

BRIAN M. MURPHY
2ND DEPUTY COMMISSIONER

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

To commemorate their 50th Anniversary, the White Plains Beautification Foundation (WPBF) approached Mayor Roach with an offer to donate a Victorian style clock to the City. This two-dial clock stands sixteen feet high, and would be similar in appearance to the City's other two WPBF gifted clocks at Triantifilu Fountain (Tibbets Park), and the White Plains Public Library Plaza. The proposed location for the golden anniversary clock is on an interior median at the intersection of Bloomingdale Road and Mamaroneck Avenue. These are municipal rights-of-way entirely under the control of the City and the responsibility of the Department of Public Works (DPW). The DPW has analyzed the location, from both above-and below- ground perspectives, and has developed a scope for the portion of the installation that will require outside contractor assistance. In general, this work consists of site preparation, conduit installation, splice box(es), wiring and power supply connections by licensed electricians, excavation, erosion control measures, concrete forms, installation of reinforcement bars, pouring of concrete, traffic construction signage and flagging, erection and setting of the clock, etc. Funds for this work exist in Capital Project No. C5431, Misc. Street Reconstruction, FY 2014/2015. The DPW will assist with this construction work and permits, as well as performing design/installation engineering for the project.

Once accepted and dedicated, the clock will become the property of the City and the DPW will perform all maintenance and related work to keep it operating for its expected service life.

Submitted herewith for your deliberation is an ordinance authorizing the Mayor to accept the clock as a gift, and to direct the Commissioner of Public Works to issue various construction contracts, as necessary, to perform the described work, in accordance with applicable city and state regulations.

It is further requested that the Mayor be authorized to direct the Commissioner of Finance to receive and disburse fund accordingly.

Respectfully submitted,

Joseph J. Nicoletti, Jr., P.E.
Commissioner of Public Works /
City Engineer

Dated: February 2, 2015

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AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR TO ACCEPT, ON BEHALF OF THE CITY OF WHITE PLAINS, A DONATION OF A SIXTEEN FOOT HIGH, VICTORIAN STYLE, GOLDEN ANNIVERSARY TWO-DIAL CLOCK, FROM THE WHITE PLAINS BEAUTIFICATION FOUNDATION (WPBF) AND TO DIRECT THE COMMISSIONER OF PUBLIC WORKS TO ISSUE VARIOUS CONSTRUCTION CONTRACTS, AS NECESSARY, FOR THE PORTION OF THE INSTALLATION THAT WILL REQUIRE OUTSIDE CONTRACTOR ASSISTANCE.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor is hereby authorized to accept, on behalf of the City of White Plains, a donation by the White Plains Beautification Foundation (WPBF) of a Victorian style clock. This two-dial clock stands sixteen feet high, and is similar in appearance to the City's other two WPBF gifted clocks at Triantifilu Fountain (Tibbets Park) and the White Plains Public Library Plaza. The proposed location for the golden anniversary clock is on an interior median at the intersection of Bloomingdale Road and Mamaroneck Avenue. These are municipal rights-of-way entirely under the control of the City and the responsibility of the Department of Public Works (DPW). The DPW has analyzed the location, from both above and below ground perspectives, and has developed a scope for the portion of the installation that will require outside contractor assistance, including site preparation, conduit installation, splice box(es), wiring and power supply connections by licensed electricians, excavation, erosion control measures, concrete forms, installation of reinforcement bars, pouring of concrete, traffic construction signage and flagging, erection and setting of the clock. Funds for this work exist in Capital Project No. C5431, Misc. Street Reconstruction, FY 2014/2015. The DPW will assist with this construction work and permits, as well as performing design/installation engineering for the project.

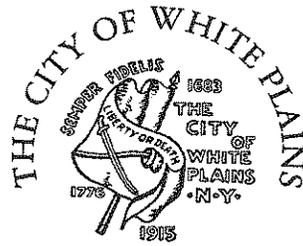
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Section 2. The Mayor is further authorized to direct the Commissioner of Public Works to issue various construction contracts, as necessary, to perform the described work, in accordance with applicable City and State regulations. Said contract (s) shall be in a form approved by the Corporation Counsel.

Section 3. The Mayor is further authorized to direct the Commissioner of Finance to receive and disburse funds accordingly regarding same.

Section 4. This ordinance shall take effect immediately.

THOMAS M. ROACH
MAYOR



WAYNE D. BASS
COMMISSIONER
FRAN CROUGHAN
DEPUTY COMMISSIONER

DEPARTMENT OF RECREATION AND PARKS
85 GEDNEY WAY
WHITE PLAINS, NEW YORK 10605

(914) 422-1336 Phone
(914) 422-1250 Fax

TO: THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF WHITE PLAINS

RE: Department of Recreation and Parks
Proposed Schedule of Fees Effective March 1, 2015

The recommended Proposed Schedule of Fees is attached to this communication for your review and approval. Departmental staff has carefully reviewed and evaluated each and every program fee and have recommended some changes which are both reasonable and appropriate. Additionally, the Recreation Advisory Committee has also reviewed these recommendations and ultimately approved the Proposed Schedule of Fees to be submitted for Common Council approval.

I, therefore, respectfully request that the Common Council approve the attached Proposed Schedule of Fees for the Department of Recreation and Parks to take effect March 1, 2015.

Wayne Bass, Commissioner
Recreation and Parks

Date: February 2, 2015

Attachment

Department of Recreation & Parks Proposed Fee Schedule Effective March 1, 2015						
	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Field Permits (per hour)						
<i>Delfino and Gillie</i>						
Resident Adult	2013/14'	\$100.00	\$100.00	\$100.00	\$13,800.00	
Non-Resident Adult	2013/14'	\$200.00	\$200.00	\$200.00	\$1,400.00	
Youth	New		\$0.00	\$50.00	\$1,500.00	\$1,500.00
<i>Saxon Woods</i>						
Resident Youth	2013/14'	Abolish	\$40.00	\$50.00	\$1,500.00	-\$100.00
Non-Resident Youth	2013/14'	\$90.00	\$90.00	\$90.00		
Resident Adult	2013/14'	\$100.00	\$100.00	\$100.00	\$31,700.00	
Non-Resident Adult	2013/14'	\$200.00	\$200.00	\$200.00	\$10,800.00	
Resident Youth Roster Per Player	2013/14'	\$15.00	\$15.00	\$15.00	\$18,000.00	\$8,025.00
Secondary Fields (Gardella & Battle Hill)						
Resident Adult	2013/14'	\$65.00	\$65.00	\$65.00	\$2,925.00	
Non-Resident Adult	2013/14'	\$120.00	\$120.00	\$120.00	\$0.00	
Youth	New			\$40.00	\$800.00	\$800.00
All Fields						
Field Lights (per hour)	2013/14'	\$65.00	\$65.00	\$65.00	\$17,030.00	
Platform Tennis						
Season Passes						
Youth/Senior Citizen	2011/12	\$0.00	\$75.00	\$75.00	\$750	\$750.00
Resident Adult	2010/11	\$0.00	\$100.00	\$100.00	\$1,000.00	
Non-Resident Adult	2011/12'	\$0.00	\$200.00	\$200.00	\$1,000.00	\$600.00
Hourly Fees						
Youth/Senior Citizen	0	\$0.00	\$7.00	\$7.00		
Resident Adult	0	\$0.00	\$8.00	\$8.00		
Non-Resident Adult	0	\$0.00	\$16.00	\$16.00		

	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Tennis						
Season Passes						
Youth	2012/13	\$55.00	\$55.00	\$55.00	\$550.00	-\$715.00
Senior Citizen	2012/13	\$90.00	\$90.00	\$90.00	\$8,550.00	
Resident Adult	2012/13	\$120.00	\$120.00	\$120.00	\$16,800.00	-\$1,920.00
Non-Resident Adult	2012/13	\$300.00	\$300.00	\$350.00	\$14,000.00	\$2,000.00
Daily Fees						
Youth/Senior Citizen	2012/13	\$9.00	\$9.00	\$10.00	\$3,000.00	\$498.00
Adult	2012/13	\$11.00	\$11.00	\$13.00	\$5,200.00	\$3,198.00
Non-Resident Adult	2012/13	\$15.00	\$15.00	Abolish	\$0.00	-\$3,000.00
Guest Coupons (5 plays)	2011/12	\$0.00	\$70.00	\$60.00	\$2,100.00	
Instruction						
Youth	2014/15	\$85.00	\$90.00	\$90.00	\$8,100.00	\$0.00
Adult	0	\$0.00	\$125.00	\$125.00	\$4,500.00	-\$4,250
Ice Skating						
Session Entry Fees						
Youth	2012/13	\$6.00	\$7.00	\$8.00	\$52,000.00	\$6,000.00
Senior Citizen	2011/12	\$5.00	\$5.00	\$5.00	\$500.00	\$500.00
Adult	2012/13	\$7.00	\$8.00	\$10.00	\$30,000.00	\$4,000.00
Non-Resident Youth	2012/13	\$9.00	\$9.00	Abolish	\$0.00	-\$31,000.00
Non-Resident Senior Citizen	0	\$0.00	\$8.00	Abolish	\$0.00	
Non-Resident Adult	2012/13	\$11.00	\$11.00	Abolish	\$0.00	-\$4,500.00
Group	2010/11	\$5.00	\$6.00	\$6.00	\$3,800.00	\$0.00
Adult Coupons (10 entries)						
Youth	2012/13	\$90.00	\$100.00	\$90.00	\$1,800.00	\$800.00
Senior Citizen	2012/13	\$80.00	\$90.00	\$70.00	\$1,400.00	\$500.00
Adult	2012/13	\$5.00	\$5.00	\$5.00	\$36,000.00	
Non-Resident Youth	2012/13	\$8.00	\$8.00	\$10.00	\$1,000.00	\$0.00
Non-Resident Senior Citizen				Abolish	\$0.00	-\$2,000.00
Non-Resident Adult				Abolish	\$0.00	-\$3,000.00
Party Room Rental (2 Hours) No Skating						
Promotional Events	2012/13	\$200.00	\$200.00	\$200.00	\$1,000.00	
	2011/12	\$0.00	\$1.00	\$1.00	\$400.00	
				\$0.00		

	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Instruction						
Resident	2011/12'	\$0.00	\$135.00	\$135.00	\$55,485.00	
Non-Resident	2011/12'	\$0.00	\$200.00	\$200.00	\$10,000.00	
Advanced Figure Skating						
Resident - One time per week	2011/12	\$0.00	\$235.00	\$250.00	\$1,500.00	\$795.00
Resident - Twice per week	2011/12	\$0.00	\$335.00	\$350.00	\$3,500.00	-\$3,200.00
Non-Resident	2011/12	\$0.00	\$435.00	\$450.00	\$1,350.00	\$45.00
Open Figure Skating	2013/14'	\$20.00	\$20.00	\$20.00	\$2,000	
Hourly Rink Rentals						
Resident	2013/14'	\$275.00	\$285.00	\$285.00	\$20,000.00	\$6,250.00
Non-Resident	2013/14'	\$325.00	\$325.00	\$325.00	\$15,000.00	\$3,950.00
Miscellaneous						
Locker rental (per use)	2012/13	\$0.25	\$0.25	\$0.25	\$100.00	
Summer Day Camp						
Half Day Camp Panawok	New			\$100.00	\$4,200.00	
Camp Q and Camp P (2 weeks)	2013/14'	\$290.00	\$300.00	\$330.00	\$98,900.00	
Camp Q and Camp P Early (2 weeks)	New			\$300.00	\$60,300.00	
Camp Q and Camp P (6 weeks)	New			\$900.00	\$63,000.00	
Camp Q and Camp P (weekly)	New			\$175.00	\$23,625.00	
Teen Camp (2 weeks)	2013/14'	\$330.00	\$360.00	\$360.00	\$24,200.00	
Teen Camp Early (2 weeks)	New			\$360.00	\$32,400.00	
Teen Camp (6 weeks)	New			\$1,080.00	\$48,600.00	
Bus	2013/14'	\$120.00	\$120.00	Abolish	\$0.00	-\$24,000.00
Early Morning	0	\$0.00	\$60.00	\$60.00	\$2,700.00	
Extended Day to 5:30	2013/14'	\$0.00	\$130.00	\$130.00	\$19,890.00	
Total Camp					\$39,225.00	
Pools						
Entry Fees	2012/13	\$0.00				
Guest Pass	New			\$5.00	\$1,500.00	\$1,500.00

	Date Fee Was Last Attended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Swimming Instruction						
Youth - Indoor	0	\$0.00	\$90.00	\$90.00	\$22,050.00	
Youth - Outdoor	0	\$0.00	\$30.00	\$30.00	\$1,590.00	
Youth Sports						
Summer Youth Basketball				\$25.00	\$5,000.00	\$5,000.00
Summer HS Basketball Individual Fee	2011/12	\$0.00	\$25.00	\$25.00	\$2,000.00	
Resident	2012/13	\$60.00	\$60.00	\$65.00	\$89,450.00	
Travel Basketball	2012/13	\$350.00	\$350.00	\$225.00	\$6,750.00	-\$7,250.00
Youth Sports Camps						
Resident 1/2 Day Program	0	\$0.00	\$100.00	\$100.00	\$5,000.00	
Non-Resident	0	\$0.00	\$125.00			
Court & Field Academy	0	\$0.00	Abolish			
Resident Full Day Program	2013/14'		\$200.00	\$200.00	\$6,000.00	
Partner Programs	2014/15'			25%/Fee	\$17,000.00	
Basketball (per team)						
<i>Winter</i>						
Men - Resident	0	\$0.00	\$900.00	\$950.00	\$9,500.00	-\$4,750.00
Men - Non-Resident	0	\$0.00	\$1,250.00	\$1,250.00		
Women	2010/11'	\$0.00	\$550.00			
Co-Ed	2013/14'	\$550.00	Abolish			
<i>Summer</i>	0					
Men - Resident	2013/14'	\$0.00	\$775.00	\$775.00	\$7,750.00	
Hockey (per person)						
Resident	2014/15	\$0.00	\$775.00	\$850.00	\$45,900.00	\$3,400.00
Non-Resident	2014/15	\$0.00	\$1,550.00	\$1,700.00	\$30,600.00	
Mini/Mites	2014/15	\$675.00	\$675.00	\$750.00	\$18,750.00	
Tryouts	0	\$0.00	\$75.00	\$75.00	\$4,000.00	
Midgets	2011/12	\$0.00	\$600.00	\$600.00	\$9,000.00	
Hockey Clinics/Session	2011/12	\$0.00	\$20.00	\$20.00		
Hockey Learn to Play 6 Weeks	2014/15	\$0.00	\$125.00	\$275.00	\$11,000.00	
Open Adult Hockey	2011/12'	\$0.00	\$10.00	\$10.00		

	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Softball (per team)						
Men's						
Resident	2014/15	\$0.00	\$1,000.00	\$1,100.00	\$37,400.00	
Non-Resident	2011/12	\$0.00	\$1,900.00	\$1,900.00	\$11,400.00	
Industrial	2014/15	\$0.00	\$1,500.00	\$1,600.00	\$12,800.00	-\$6,400.00
Women's						
Resident	0	\$0.00	\$600.00	\$600.00	\$3,000.00	
Non-Resident	0	\$0.00	\$850.00	\$850.00		
Co-Ed						
Resident	2014/15	\$0.00	\$1,375.00	\$1,450.00	\$31,900.00	
Non-Resident	2011/12	\$0.00	\$1,900.00	\$1,900.00	\$5,700.00	
Fall Softball	2013/14		\$750.00	\$750.00	\$8,250.00	
Special Interest Program (per 45 minute sess)						
Resident Youth	0	\$0.00	\$8.00	\$8.00	\$20,000.00	
Resident Adult	0	\$0.00	\$13.00	\$13.00	\$10,855.00	
Recreation ID Cards						
Youth - New Issue	2012/13	\$7.00	\$7.00	\$7.00	\$4,606.00	
Adult - New Issue	2012/13	\$11.00	\$11.00	\$11.00	\$5,425.00	-\$2,000.00
Senior Citizen - New Issue (Lifetime)	0	\$0.00	\$10.00	\$10.00	\$360.00	
Youth - Annual Renewal	2012/13	\$6.00	\$6.00	\$6.00	\$4,920.00	
Adult - Annual Renewal	2012/13	\$9.00	\$9.00	\$9.00	\$6,525.00	
Miscellaneous						
Back-to-School Dances	2010/11	\$0.00	\$8.00	\$8.00	\$4,800.00	
Pre-School	2014/15	\$0.00	\$90.00	\$95.00	\$27,000.00	
Gymnastics 6 Sessions	2014/15	\$0.00	\$90.00	\$95.00	\$2,700.00	
Recreation Room Rental (per hour)	2010/11	\$0.00	\$75.00	\$75.00	\$1,500.00	
Community Gardens Fees	2012/13	\$35.00	\$35.00	\$35.00	\$2,450.00	
	2011/12	\$0.00	\$125.00	\$125.00	\$2,500.00	
Not for Profit Facility						
Field Rental Per Event 4 Hours Max	2012/13	\$100.00	\$100.00	\$100.00	\$600.00	
Campout	2014/15		\$50.00	\$50.00	\$2,500.00	
Dance Classes 12 Sessions	2014/15		\$135.00	\$135.00	\$16,200.00	

	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Special Needs Programs						
Special needs (8 Weeks)	2012/13	\$25.00	\$25.00	\$25.00	\$2,000.00	
Bowling (8 Weeks)	2012/13	\$25.00	\$25.00	\$25.00	\$2,000.00	
Gym/Swim (8 Weeks)	2012/13	\$25.00	\$25.00	\$25.00	\$1,125.00	
Friday Night Out (12 Weeks)	2012/13	\$25.00	\$25.00	\$25.00	\$1,125.00	
Inclusion Camp-Panawok & Quarropas (2 Wks)	2013/14'	\$75.00	Abolish			
	2013/14'	\$125.00	Abolish			
Senior Citizen Programs						
Transportation Contribution	2012/13	\$0.75	\$0.75	\$1.00	\$7,500.00	-\$750.00
Nutrition Contribution	2012/13	\$2.75	\$2.75	\$3.00	\$20,000.00	-\$7,638.00
6 Week Programs						
Resident	2012/13	\$20.00	\$20.00	\$25.00	\$5,451.00	
Non-Resident	2012/13	\$45.00	\$45.00	\$45.00	\$270.00	
8 Week Programs						
Resident	2012/13	\$25.00	\$25.00	\$30.00	\$4,500.00	
Non-Resident	2012/13	\$55.00	\$55.00	\$55.00	\$515.00	
Seasonal Resident Program Fee	New			\$5.00	\$1,125.00	\$1,125.00
Seasonal Non-Resident Program Fee	New			\$55.00	\$1,980.00	\$1,980.00
TOTAL PROJECTED REVENUE						
					\$1,343,477.00	-\$14,032.00

Department of Recreation & Parks Proposed Fee Schedule Effective March 1, 2015						Projected Revenue	+/-
	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16			
Field Permits (per hour)							
Delino and Gillie							
Resident Adult	2013/14'	\$100.00	\$100.00	\$100.00	\$13,800.00		
Non-Resident Adult	2013/14'	\$200.00	\$200.00	\$200.00	\$1,400.00		
Youth	New		\$0.00	\$50.00	\$1,500.00		\$1,500.00
Saxon Woods							
Resident Youth	2013/14'	Abolish	\$40.00	\$50.00	\$1,500.00		-\$100.00
Non-Resident Youth	2013/14'	\$90.00	\$90.00	\$90.00			
Resident Adult	2013/14'	\$100.00	\$100.00	\$100.00	\$31,700.00		
Non-Resident Adult	2013/14'	\$200.00	\$200.00	\$200.00	\$10,800.00		
Resident Youth Roster Per Player	2013/14'	\$15.00	\$15.00	\$15.00	\$18,000.00		\$8,025.00
Secondary Fields (Gardelle & Battle Hill)							
Resident Adult	2013/14'	\$65.00	\$65.00	\$65.00	\$2,925.00		
Non-Resident Adult	2013/14'	\$120.00	\$120.00	\$120.00	\$0.00		
Youth	New			\$40.00	\$800.00		\$800.00
All Fields							
Field Lights (per hour)	2013/14'	\$65.00	\$65.00	\$65.00	\$17,030.00		
Platform Tennis							
Season Passes							
Youth/Senior Citizen	2011/12	\$0.00	\$75.00	\$75.00	\$750		\$750.00
Resident Adult	2010/11	\$0.00	\$100.00	\$100.00	\$1,000.00		
Non-Resident Adult	2011/12'	\$0.00	\$200.00	\$200.00	\$1,000.00		\$600.00
Hourly Fees							
Youth/Senior Citizen	0	\$0.00	\$7.00	\$7.00			
Resident Adult	0	\$0.00	\$8.00	\$8.00			
Non-Resident Adult	0	\$0.00	\$16.00	\$16.00			

	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	*/-
Youth						
Season Passes						
Youth	2012/13	\$55.00	\$55.00	\$55.00	\$550.00	-\$715.00
Senior Citizen	2012/13	\$90.00	\$90.00	\$90.00	\$8,550.00	
Resident Adult	2012/13	\$120.00	\$120.00	\$120.00	\$16,800.00	-\$1,920.00
Non-Resident Adult	2012/13	\$300.00	\$300.00	\$350.00	\$14,000.00	\$2,000.00
Daily Fees						
Youth/Senior Citizen	2012/13	\$9.00	\$9.00	\$10.00	\$3,000.00	\$498.00
Adult	2012/13	\$11.00	\$11.00	\$13.00	\$5,200.00	\$3,198.00
Non-Resident Adult	2012/13	\$15.00	\$15.00	Abolish	\$0.00	-\$3,000.00
Guest Coupons (5 plays)	2011/12	\$0.00	\$70.00	\$60.00	\$2,100.00	
Instruction						
Youth	2014/15	\$85.00	\$90.00	\$90.00	\$8,100.00	\$0.00
Adult	0	\$0.00	\$125.00	\$125.00	\$4,500.00	-\$4,250
Ice Skating						
Session Entry Fees						
Youth	2012/13	\$5.00	\$7.00	\$8.00	\$52,000.00	\$6,000.00
Senior Citizen	2011/12	\$5.00	\$5.00	\$5.00	\$500.00	\$500.00
Adult	2012/13	\$7.00	\$8.00	\$10.00	\$30,000.00	\$4,000.00
Non-Resident Youth	2012/13	\$9.00	\$9.00	Abolish	\$0.00	-\$31,000.00
Non-Resident Senior Citizen	0	\$0.00	\$8.00	Abolish	\$0.00	
Non-Resident Adult	2012/13	\$11.00	\$11.00	Abolish	\$0.00	-\$4,500.00
GROUP	2010/11	\$5.00	\$6.00	\$6.00	\$3,800.00	\$0.00
Adult Coupons (10 entries)	2012/13	\$90.00	\$100.00	\$90.00	\$1,800.00	\$800.00
Youth Coupons (10 entries)	2012/13	\$80.00	\$90.00	\$70.00	\$1,400.00	\$500.00
Skate Rentals	2012/13	\$5.00	\$5.00	\$5.00	\$36,000.00	
Skate Sharpening	2012/13	\$8.00	\$8.00	\$10.00	\$1,000.00	\$0.00
Hockey Game Admission Y				Abolish	\$0.00	-\$2,000.00
Hockey Game Admission A				Abolish		-\$3,000.00
Party Room Rental (2 Hours) No Skating	2012/13	\$200.00	\$200.00	\$200.00	\$1,000.00	
Promotional Events	2011/12	\$0.00	\$1.00	\$1.00	\$400.00	
			\$0.00			

Instruction	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Resident	2011/12	\$0.00	\$135.00	\$135.00	\$55,485.00	
Non-Resident	2011/12	\$0.00	\$200.00	\$200.00	\$10,000.00	
Advanced Figure Skating						
Resident - One time per week	2011/12	\$0.00	\$235.00	\$250.00	\$1,500.00	\$795.00
Resident - Twice per week	2011/12	\$0.00	\$335.00	\$350.00	\$3,500.00	-\$3,200.00
Non-Resident	2011/12	\$0.00	\$435.00	\$450.00	\$1,350.00	\$45.00
Open Figure Skating	2013/14	\$20.00	\$20.00	\$20.00	\$2,000.00	
Hourly Rink Rentals						
Resident	2013/14	\$275.00	\$285.00	\$285.00	\$20,000.00	\$6,250.00
Non-Resident	2013/14	\$325.00	\$325.00	\$325.00	\$15,000.00	\$3,950.00
Miscellaneous						
Locker rental (per use)	2012/13	\$0.25	\$0.25	\$0.25	\$100.00	
Summer Day Camp						
Half Day Camp Panawok	New			\$100.00	\$4,200.00	
Camp Q and Camp P (2 weeks)	2013/14	\$290.00	\$300.00	\$330.00	\$98,900.00	
Camp Q and Camp P Early (2 weeks)	New			\$300.00	\$60,300.00	
Camp Q and Camp P (6 weeks)	New			\$900.00	\$63,000.00	
Camp Q and Camp P (weekly)	New			\$175.00	\$23,625.00	
Teen Camp (2 weeks)	2013/14	\$330.00	\$360.00	\$380.00	\$24,200.00	
Teen Camp Early (2 weeks)	New			\$380.00	\$32,400.00	
Teen Camp (6 weeks)	New			\$1,080.00	\$48,600.00	
Bus	2013/14	\$120.00	\$120.00	Abolish	\$0.00	-\$24,000.00
Early Morning	0	\$0.00	\$60.00	\$60.00	\$2,700.00	
Extended Day to 6:30	2013/14	\$0.00	\$130.00	\$130.00	\$19,890.00	
Total Camp					\$39,225.00	
Pools						
Entry Fees	2012/13	\$0.00				
Guest Pass	New			\$5.00	\$1,500.00	\$1,500.00

	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Swimming Instruction						
Youth - Indoor	0	\$0.00	\$90.00	\$90.00	\$22,050.00	
Youth - Outdoor	0	\$0.00	\$30.00	\$30.00	\$1,590.00	
Youth Sports						
Summer Youth Basketball				\$25.00	\$5,000.00	\$5,000.00
Summer HS Basketball Individual Fee	2011/12	\$0.00	\$25.00	\$25.00	\$2,000.00	
Resident	2012/13	\$60.00	\$60.00	\$65.00	\$89,450.00	
Travel Basketball	2012/13	\$350.00	\$350.00	\$225.00	\$6,750.00	-\$7,250.00
Youth Sports Camps						
Resident 1/2 Day Program	0	\$0.00	\$100.00	\$100.00	\$5,000.00	
Non-Resident	0	\$0.00	\$125.00			
Court & Field Academy	0	\$0.00	Abolish			
Resident Full Day Program	2013/14'		\$200.00	\$200.00	\$6,000.00	
Partner Programs	2014/15'			25% Fee	\$17,000.00	
Basketball (per team)						
Winter						
Men - Resident	0	\$0.00	\$900.00	\$950.00	\$9,500.00	-\$4,750.00
Men - Non-Resident	0	\$0.00	\$1,250.00	\$1,250.00		
Women	2010/11'	\$0.00	\$550.00			
Co-Ed	2013/14'	\$550.00	Abolish			
Summer	0					
Men - Resident	2013/14'	\$0.00	\$775.00	\$775.00	\$7,750.00	
Hockey (per person)						
Resident	2014/15	\$0.00	\$775.00	\$850.00	\$45,900.00	\$3,400.00
Non-Resident	2014/15	\$0.00	\$1,550.00	\$1,700.00	\$30,600.00	
Mini/Mites	2014/15	\$675.00	\$675.00	\$750.00	\$18,750.00	
Tryouts	0	\$0.00	\$75.00	\$75.00	\$4,000.00	
Midgets	2011/12	\$0.00	\$600.00	\$600.00	\$9,000.00	
Hockey Clinics/Session	2011/12	\$0.00	\$20.00	\$20.00		
Hockey Learn to Play 8 Weeks	2014/15	\$0.00	\$125.00	\$275.00	\$11,000.00	
Open Adult Hockey	2011/12'	\$0.00	\$10.00	\$10.00		

	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Sofball (per team)						
Men's						
Resident	2014/15	\$0.00	\$1,000.00	\$1,100.00	\$37,400.00	
Non-Resident	2011/12	\$0.00	\$1,900.00	\$1,900.00	\$11,400.00	
Industrial	2014/15	\$0.00	\$1,500.00	\$1,500.00	\$12,800.00	-\$6,400.00
Women's						
Resident	0	\$0.00	\$600.00	\$600.00	\$3,000.00	
Non-Resident	0	\$0.00	\$850.00	\$850.00		
Co-Ed						
Resident	2014/15	\$0.00	\$1,375.00	\$1,450.00	\$31,900.00	
Non-Resident	2011/12	\$0.00	\$1,900.00	\$1,900.00	\$5,700.00	
Fall Sofball	2013/14		\$750.00	\$750.00	\$8,250.00	
Social Interest Program (per 45 minute sess						
Resident Youth	0	\$0.00	\$8.00	\$8.00	\$20,000.00	
Resident Adult	0	\$0.00	\$13.00	\$13.00	\$10,855.00	
Recreation ID Cards						
Youth - New Issue	2012/13	\$7.00	\$7.00	\$7.00	\$4,606.00	
Adult - New Issue	2012/13	\$11.00	\$11.00	\$11.00	\$5,425.00	-\$2,000.00
Senior Citizen - New Issue (Lifetime)	0	\$0.00	\$10.00	\$10.00	\$360.00	
Youth - Annual Renewal	2012/13	\$5.00	\$6.00	\$6.00	\$4,920.00	
Adult - Annual Renewal	2012/13	\$9.00	\$9.00	\$9.00	\$6,525.00	
Miscellaneous						
Back-to-School Dances	2010/11	\$0.00	\$8.00	\$8.00	\$4,800.00	
Pre-School	2014/15	\$0.00	\$90.00	\$95.00	\$27,000.00	
Gymnastics 6 Sessions	2014/15	\$0.00	\$90.00	\$95.00	\$2,700.00	
Recreation Room Rental (per hour)	2010/11	\$0.00	\$75.00	\$75.00	\$1,500.00	
Community Gardens Fees	2012/13	\$35.00	\$35.00	\$35.00	\$2,450.00	
	2011/12	\$0.00	\$125.00	\$125.00	\$2,500.00	
Net for Profit Facility						
Field Rental Per Event 4 Hours Max	2012/13	\$100.00	\$100.00	\$100.00	\$600.00	
Campout	2014/15		\$50.00	\$50.00	\$2,500.00	
Dance Classes - 12 Sessions	2014/15		\$135.00	\$135.00	\$16,200.00	

	Date Fee Was Last Amended	Prior Year 2013/14	Current Fee 2014/15	Proposed Fee 2015/16	Projected Revenue	+/-
Special Needs Programs						
Special needs (8 Weeks)	2012/13	\$25.00	\$25.00	\$25.00	\$2,000.00	
Bowling (6 Weeks)	2012/13	\$25.00	\$25.00	\$25.00	\$2,000.00	
Gym/Swim (8 Weeks)	2012/13	\$25.00	\$25.00	\$25.00	\$1,125.00	
Friday Night Out (12 Weeks)	2012/13	\$25.00	\$25.00	\$25.00	\$1,125.00	
Inclusion Camp-Panawok & Quarropas (2 Wks)	2013/14	\$75.00	Abolish			
	2013/14	\$125.00	Abolish			
Senior Citizen Programs						
Transportation Contribution	2012/13	\$0.75	\$0.75	\$1.00	\$7,500.00	-\$750.00
Nutrition Contribution	2012/13	\$2.75	\$2.75	\$3.00	\$20,000.00	-\$7,638.00
6 Week Programs						
Resident	2012/13	\$20.00	\$20.00	\$25.00	\$5,451.00	
Non-Resident	2012/13	\$45.00	\$45.00	\$45.00	\$270.00	
8 Week Programs						
Resident	2012/13	\$25.00	\$25.00	\$30.00	\$4,500.00	
Non-Resident	2012/13	\$55.00	\$55.00	\$55.00	\$515.00	
Seasonal Resident Program Fee	New			\$5.00	\$1,125.00	\$1,125.00
Seasonal Non-Resident Program Fee	New			\$55.00	\$1,980.00	\$1,980.00
TOTAL PROJECTED REVENUE					\$1,343,477.00	-\$14,032.00

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS ESTABLISHING AND APPROVING A SCHEDULE OF USER FEES FOR THE WHITE PLAINS DEPARTMENT OF RECREATION AND PARKS.

WHEREAS, the Commissioner of Recreation and Parks has recommended a revised schedule of User Fees for the various programs organized and operated by the Department of Recreation and Parks; and

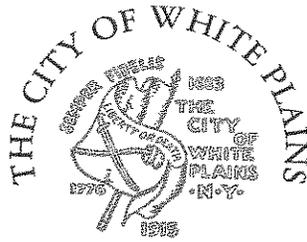
WHEREAS, the total amount of User Fees estimated to be received by the Department of Recreation and Parks will be based on the proposed fee schedule filed with the City Clerk.

NOW, THEREFORE, the Common Council hereby ordains and enacts as follows:

Section 1. The Common Council hereby establishes and approves the schedule of User Fees filed with the City Clerk, attached and made a part hereof, for the various programs organized and operated by the Department of Recreation and Parks.

Section 2. This ordinance shall take effect March 1, 2015.

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PLANNING DEPARTMENT
70 Church Street, White Plains, New York 10601
(914) 422-1300 FAX: (914) 422-1301
E-Mail: Planning@whiteplainsny.gov

THOMAS M. ROACH
MAYOR

LINDA K. PUOPLO
DEPUTY COMMISSIONER

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

Subject: Memorandum of Understanding with Westchester Residential Opportunities, Inc. for the City of White Plains to Partner on the Access To Home Program

The City of White Plains is seeking authorization to enter into a partnership with Westchester Residential Opportunities, Inc., through a Memorandum of Understanding, and serve as a partner in the ACCESS TO HOME program operated by Westchester Residential Opportunities, Inc. Westchester Residential Opportunities, Inc., ("WRO"), is a HUD-certified housing counseling and fair housing agency engaged for 43 years in helping those in need to find, secure and maintain decent and affordable housing.

WRO is submitting a grant application to the New York State Housing Trust Fund for funding to support and implement the ACCESS TO HOME program. WRO has requested that the City of White Plains join their collaboration in pursuit of this funding. The ACCESS TO HOME program responds to the urgent, unmet housing needs of the disabled community through a framework of holistically oriented, supportive services.

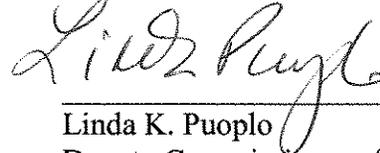
The City of White Plains, as a partner identified in the Memorandum of Understanding, agrees to provide the following:

- Maintain a close, open and honest collaborative relationship where issues are resolved through negotiation and mediation, with respect for the contributions of all partners;
- Regularly screen and refer disabled persons who are in need of housing access assistance and can benefit from the ACCESS TO HOME program;
- Be responsible for developing and implementing project activities, working with their respective program staff;
- Remain dedicated and committed to work together to achieve stated project goals.

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Attached for your consideration, is an ordinance approving and endorsing the partnership between the City of White Plains' and Westchester Residential Opportunities, Inc. for the purposes of the ACCESS TO HOME program.

Respectfully submitted,



Linda K. Puoplo
Deputy Commissioner of Planning

Dated: January 26, 2015
(For the February 2, 2015 Common Council Meeting)

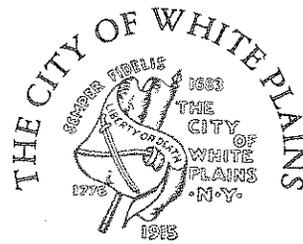
AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AMONG THE CITY OF WHITE PLAINS, WESTCHESTER RESIDENTIAL OPPORTUNITIES, INC., WESTCHESTER COUNTY DEPARTMENT OF PLANNING, WESTCHESTER DISABLED ON THE MOVE, INC., AND WESTCHESTER INDEPENDENT LIVING CENTER, INC. TO APPLY FOR A NEW YORK STATE HOUSING TRUST FUND ACCESS TO HOME GRANT.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor, or his designee, is hereby authorized to enter into a Memorandum of Understanding among the City of White Plains, Westchester Residential Opportunities, Inc., Westchester County Department of Planning, Westchester Disabled on the Move, Inc., and Westchester Independent Living Center, Inc. to apply for a New York State Housing Trust Fund ACCESS TO HOME Grant. Westchester Residential Opportunities, Inc. shall be the lead agency for the application. Said Memorandum of Understanding shall be in a form approved by the Corporation Counsel.

Section 2. This ordinance shall take effect immediately.

THOMAS M. ROACH
MAYOR



JOHN P. LARSON
COMMISSIONER

JOHN FUERST
DEPUTY COMMISSIONER

DEPARTMENT OF PARKING
255 MAIN ST. - ANNEX BUILDING
WHITE PLAINS, NEW YORK 10601

THOMAS J. SOYK, P.E., PTOE
DEPUTY COMMISSIONER/
CITY TRANSPORTATION ENGINEER

(914) 422-1232 Phone
(914) 422-1274 Fax

HONORABLE MAYOR AND COMMON COUNCIL
OF THE CITY OF WHITE PLAINS

The Department of Parking has been providing parking customers with the ability to pay for metered parking by cell phone for the past four years. As part of our continuing efforts to provide the best and most convenient services to our parking customers, we have evaluated a number of current "pay-by-phone" services. After careful consideration of the customer, merchant, departmental, and overall City needs, we would like to enter into agreements with PassportParking, Inc. to provide the Department of Parking with: (1) "mobile payment services" and (2) "custom design services."

The "mobile payment services" agreement would provide for services similar to our existing mobile payment platform with some significant differences and improvements which include: (1) a reduced customer-paid convenience fee; (2) availability of a "wallet" system; (3) a streamlined, flexible, and tightly-integrated merchant validation system; (4) tight integration with existing Departmental equipment and operations; and (5) initial signage and decals. With the exception of any future required replacement signs or stickers, there would be no cost to the City. The vendor would charge a \$0.15 per transaction convenience fee to the parking customer. Our current vendor is charging a \$0.35 per transaction convenience fee to the parking customer. The proposed agreement also permits us to impose an additional optional convenience fee amount, not to exceed \$0.20 per transaction, which would be retained by the City.

The "custom design services" agreement would provide for initial implementation and ongoing licensing, maintenance and updates of: (1) a White Plains branded mobile payment application; (2) a White Plains branded iOS mobile payment application; (3) a White Plains branded Android mobile payment application; (4) a White Plains branded web-based application; (5) a custom voice interactive voice response phone application; (6) branded marketing materials; and (7) dedicated programming hours. The vendor would charge a license fee of \$1,000 per month for these services. The license fee for the first six months and all setup fees would be waived.

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Both agreements would be for a minimum term of two years. Yearly renewals would be at our discretion.

For your consideration, please find attached hereto an ordinance authorizing the Mayor or his designee to enter into the "Mobile Pay License Agreement" and the "Custom Design Agreement" with PassportParking, Inc.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Larson". The signature is fluid and cursive, with a large initial "J" and "L".

John P. Larson, Commissioner of Parking

Date: February 2, 2015

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A MOBILE PAY LICENSE AGREEMENT AND CUSTOM DESIGN SERVICES AGREEMENT WITH PASSPORTPARKING INC. TO PROVIDE SERVICES RELATED THE USE OF MOBILE TELEPHONES TO PAY FOR PARKING AT CITY OF WHITE PLAINS METERS.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Common Council of the City of White Plains hereby authorizes the Mayor or his designee to execute a mobile pay license agreement to allow for users to pay parking fees at municipal meters and a custom design services agreement for implementation, design, maintenance and updating of a White Plains branded mobile payment application both agreements with PassportParking Inc. to provide services related the use of mobile telephones to pay for parking at City of White Plains (“the City”) meters.

Section 2. The mobile pay license agreement shall be for a two year period renewable by the City for additional one year periods at the City’s options at no cost to the City of White Plains. The agreement will provide for users to pay a \$.15 (fifteen cent) customer transaction fee for payment and, in the future, allow for the imposition of an additional transaction fee to be paid to the City. The agreement shall be in a form acceptable to the Corporation Counsel.

Section 3, The custom design services agreement shall also be for a two year period renewable by the City for additional one year periods at the City’s option. Passport Parking Inc. has agreed to waive all setup fees and the first six months of license fees. Thereafter, a monthly

license fee of \$1,000 shall be due. The agreement shall be in a form acceptable to the Corporation Counsel.

Section 4. This ordinance shall take effect immediately.



TRANSPORTATION COMMISSION
255 MAIN STREET - ANNEX BUILDING • WHITE PLAINS, NEW YORK 10601
(914) 422-1232 • FAX: (914) 422-1274

THOMAS M. ROACH
MAYOR

THOMAS J. SOYK, P.E., PTOE
DEPUTY COMMISSIONER

TO THE HONORABLE MAYOR AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF WHITE PLAINS

Submitted herewith is an ordinance amending the Traffic Ordinance of the City of White Plains as follows;

- 1.) Modify a "One Hour Parking 7:30 A.M to 6:30 P.M" zone on the south side of Holland Avenue as described in Section 203 Subdivision 39.
- 2.) Create a "Three Hour Parking" zone on the south side of Holland Avenue as described in Section 203-e Subdivision 3.
- 3.) Modify "Stop Intersections" for Scott Circle traffic as described in Section 303-a Subdivisions 130-a and 180-aa.

This amendment is in accordance with the recommendations of the Transportation Commission and is to become effective upon adoption by the Common Council.



Thomas Soyk
Acting Chairman

Dated: January 22, 2015 (for the February 2, 2015 Common Council Meeting)

AN ORDINANCE AMENDING THE TRAFFIC ORDINANCE OF THE CITY OF WHITE PLAINS IN RELATION TO MODIFYING A “ONE HOUR PARKING 7:30 A.M. TO 6:30 P.M.” ZONE ON THE SOUTH SIDE OF HOLLAND AVENUE; CREATING A “THREE HOUR PARKING” ZONE ON THE SOUTH SIDE HOLLAND AVENUE; AND MODIFYING “STOP INTERSECTIONS” FOR SCOTT CIRCLE TRAFFIC.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

One Hour Parking 7:30 A.M. to 6:30 P.M.

Section 1. Subdivision 39 of Section 203 of Article II of an ordinance adopted by the Common Council of the City of White Plains on the third day of September 1946, entitled, “An ordinance regulating traffic in the City of White Plains and providing penalties for the violations of its provisions,” as last amended on the 7th day of April 2014, is hereby amended to read as follows:

39. Holland Avenue, on the north side, for approximately 605 feet east, beginning at a point approximately 210 feet east of North Broadway, and on the south side, beginning at a point approximately [100] 400 feet east of North Broadway and Thompson Avenue.

Three Hour Parking

Section 2. Subdivision 3 of Section 203-e of Article II of said ordinance, as last amended on the 7th day of April 2014, is hereby amended to read as follows:

3. Holland Avenue, on the north side for approximately 110 feet east, beginning at a point approximately 100 feet east of North Broadway, and on the south side, beginning at a point

approximately 100 feet east of North Broadway and a point approximately 400' east of North Broadway.

Stop Intersections

Section 3. Section 303-a of Article III of said ordinance, as last amended on the 7th day of April 2014, is hereby amended by adding new subdivisions 130-a and 180-aa to read as follows:

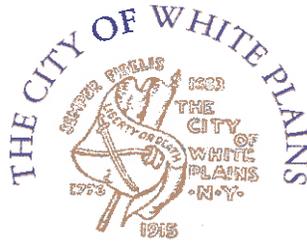
130-a. PROSPECT STREET AND SCOTT CIRCLE:

Stop sign Scott Circle, facing eastbound traffic.

180-aa. VERMONT AVENUE AND SCOTT CIRCLE:

Stop sign on Scott Circle, facing southbound traffic.

Section 4. This ordinance shall take effect immediately.



PLANNING DEPARTMENT
70 Church Street, White Plains, New York 10601
(914) 422-1300 Fax: (914) 422-1301
E-Mail: Planning@whiteplainsny.gov

THOMAS M. ROACH
MAYOR

LINDA K. PUOPLO
DEPUTY COMMISSIONER

January 23, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

Subject: SCHEDULING OF PUBLIC HEARING ON THE PROPOSED WESTCHESTER AVENUE
URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14

At its meeting of January 7, 2015, the White Plains Urban Renewal Agency ("Agency") adopted Resolution 1-2015 entitled RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY ADOPTING AN URBAN RENEWAL PLAN FOR THE WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14 WHICH PROJECT AREA WAS DELINEATED AND DESIGNATED AS AN URBAN RENEWAL AREA BY THE COMMON COUNCIL AT ITS MEETING OF DECEMBER 1, 2014. The urban renewal plan is entitled the WESTCHESTER AVENUE URBAN RENEWAL AREA PROJECT NO. WPUR - 14 PHASE I URBAN RENEWAL PLAN. The vision of this plan, as described in the Agency's approval resolution, is "to transform the underutilized site into a vibrant, mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue, thereby harnessing the full potential of the site, increasing the tax base, and creating a welcoming place for people to live, work and shop."

Based on this vision statement and the issues identified in the Westchester Avenue Phase I Urban Renewal Project, Project No. WPUR-14 ("Westchester Avenue Project Area" or "Project Area"), the Westchester Avenue Phase I Urban Renewal Plan sets forth the following goals related to improving conditions in the Phase I Project Area:

1. To eliminate substandard conditions
2. To promote mixed-use redevelopment of underutilized land
3. To create a safe and attractive pedestrian environment
4. To improve safety and efficiency in vehicular access and circulation
5. To address deficiencies in off-street parking
6. To enhance the aesthetics and overall image of the Project Area; and
7. To help generate economic activity and increase the tax base.

Copies of the Westchester Avenue Phase I Urban Renewal Plan ("Westchester Avenue Phase I Plan") and the Agency's resolution approving the plan accompany this communication for your information.

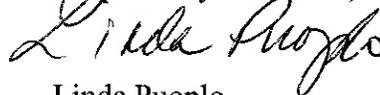
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At its meeting of January 20, 2015, the Planning Board held a duly noticed public hearing on the Westchester Avenue Phase I Plan. After the public hearing, the Planning Board, pursuant to General Municipal Law Section 505, prepared a report to the Common Council certifying that the Westchester Avenue Phase I Plan complies with the provisions of Section 502(7) of the General Municipal Law, and finding that the area designated as the Westchester Avenue Phase I Urban Renewal Project, Project No. WPUR-14 is appropriate for urban renewal as defined in 502(3) of the General Municipal Law. The report of the Planning Board appears on this Common Council Agenda.

Prior to the Common Council taking action on the Westchester Avenue Phase I Plan, General Municipal Law Section 505(3) requires that the Common Council itself hold a public hearing on the Plan.

Submitted herewith for your consideration is a resolution scheduling a public hearing on the Westchester Avenue Phase I Plan to be held before the Common Council at its regular meeting of March 2, 2015.

Respectfully submitted,

A handwritten signature in black ink that reads "Linda Puoplo". The signature is written in a cursive style with a large initial "L".

Linda Puoplo
Deputy Commissioner

WHITE PLAINS URBAN RENEWAL
AGENCY RESOLUTION 1-2015

RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY ADOPTING AN URBAN RENEWAL PLAN FOR THE WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14 WHICH PROJECT AREA WAS DELINEATED AND DESIGNATED AS AN URBAN RENEWAL AREA BY THE COMMON COUNCIL AT ITS MEETING OF DECEMBER 1, 2014.

WHEREAS:

- A. Pursuant to Section 504 of the New York State General Municipal Law (“GML”), at its meeting of November 24, 2014, the White Plains Urban Renewal Agency (“Agency”) reviewed (1) a report, dated November 18, 2014 (“Project Area Designation Report”) on the conditions of properties located within an area fronting on Westchester Avenue proposed by Agency staff and the Department of Planning as appropriate for urban renewal, such area being defined and described herein as the Westchester Avenue Urban Renewal Project, Project No. WPUR-14 (“Westchester Avenue Project Area” or “Project Area” and (2) further received comments and recommendations from Agency staff and the Planning Department.
- B. The Project Area Designation Report prepared by Agency staff and the Planning Department identified the following conditions within the Westchester Avenue Project Area:
1. the Project Area includes 19 properties, totaling 6.2 acres, located along portions of Westchester Avenue and Franklin Avenue, which properties are listed in Table 1 of the Project Area Designation Report and shown in Figure 1 of that Report;
 2. the properties located in the proposed Westchester Avenue Project Area have not been previously reviewed or considered for urban renewal project designation; and
 3. the properties in the Project Area are characterized by the following:
 - a. irregularity of the lots;
 - b. inadequacy of streets, circulation, and parking;
 - c. inadequate utilization of land;
 - d. poorly functioning drainage area; and
 - e. traffic safety issues and congestion.
- C. As a result of the conditions identified in the Westchester Project Area Report, Agency staff recommended that the Agency make the following findings:
1. the Project Area has the potential to have a blighting influence on surrounding residential and commercial properties;
 2. the Project Area is appropriate for urban renewal as defined in GML Sections 502.3, 502.7 and 505;
 3. The proper development or redevelopment of this area can best be effectuated under the provisions of GML Articles 15 and 15A; and
 4. The implementation of an urban renewal project for this Project Area, pursuant to a

duly adopted urban renewal plan, is in the interest of sound community planning and is in the public interest.

- D. The Agency staff further recommended, pursuant to GML Section 505, that, due to the scope of the Westchester Avenue Project Area, it is appropriate to have the urban renewal activities in the designated area carried out in stages.
- E. Based on its review of the Westchester Avenue Project Area Report and the recommendations of the Agency and Planning Department staff, the Agency, at its meeting of November 24, 2014, made the following findings in Agency Resolution 12-2014:
1. Due to the factors inhibiting redevelopment [listed in Agency Resolution 12-2014], the proposed WPUR-14 Project Area requires substantial continuing capital investment and rehabilitation to arrest the conditions causing these properties to be in a blighted condition and causing the area represented by these properties to have a blighting influence on the surrounding area, as defined in Section 502.4;
 2. Capital investment in expanded municipal parking facilities would help to alleviate parking shortages in the area that contribute to the blighted or blighting conditions. This could best be effectuated by the inclusion of these municipal parking properties into the Westchester Avenue Urban Renewal Project WPUR-14 Project Area, which would facilitate otherwise unavailable public and private alternatives, including public/private partnerships, available under the provisions of Article 15 of the NYS General Municipal Law;
 3. Consistent with NYS GML Section 502.4, it is appropriate that certain identified Project Area parcels and improvements be included in the Westchester Avenue Urban Renewal Project WPUR-14 Project Area, even though these buildings and improvements are "not in themselves substandard or insanitary," but are properties "the inclusion of which is deemed necessary for the effective undertaking of one or more urban renewal programs;"
 4. The implementation of an urban renewal project in the Westchester Avenue Urban Renewal Project WPUR-14 Project Area is in the interest of sound community planning and in the public interest;
 5. The designation and delineation of the proposed Westchester Avenue Urban Renewal Project Area WPUR-14 is both necessary and appropriate to address the blighted or blighting area represented by these properties; and
 6. Not to address the blighted or blighting conditions of this area may tend to impair or arrest the sound growth and development of the surrounding area, including the preservation and growth of retail and commercial, office, businesses and governmental uses in the surrounding area, the downtown and the City as a whole.
- F. Based on the findings made by the Agency in Resolution 12-2014, the Agency recommended in said Resolution that the Common Council, on its own motion and pursuant to GML Section 504, approve the delineation and designation of the Westchester Avenue Urban Renewal Project known as the WPUR-14 Project Area, to

include the 19 properties as shown in Table 1 and Figure 1 of the Project Area Designation Report which Table and Figure were also attached to and made a part of Resolution 12-2014.

- G. By adoption of Agency Resolution 12-2014, the Agency further recommended that the Common Council request that the Agency prepare an Urban Renewal Plan for the first phase of the Westchester Avenue WPUR-14 Project, to address the long term rehabilitation, operation, and maintenance needs in the Project Area, including the need for continued capital investment in the Project Area while affording the "maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of an urban renewal program," as required by GML Section 505.4(c).
- H. Pursuant to GML Section 504, and based upon the recommendations and findings of the White Plains Urban Renewal Agency made in Agency Resolution 12-2014, on December 1, 2014, the Common Council adopted a resolution finding that the proposed Westchester Avenue Urban Renewal Project No. WPUR-14, as described in Agency Resolution 12-2014 and shown on Figure 1 of the Project Area Designation Report, encompassing the 19 properties in said Project Area, as listed on Table 1 of said Report (both Figure 1 and Table 1 being attached to the Common Council resolution and included as exhibits in the Phase I Westchester Avenue Urban Renewal Plan) is a substandard or insanitary area which may tend to impair or arrest the sound growth and development of the City and which is suitable and appropriate for urban renewal as that term is defined in GML Section 502.3.
- I. Consistent with its findings and pursuant to Section 504 of the General Municipal Law, in said Common Council resolution, the Common Council delineated and designated the Westchester Avenue Urban Renewal Project, Project No. WPUR-14.
- J. Further consistent with its findings and pursuant to Section 505.1 of the General Municipal Law, in said Common Council resolution, the Common Council directed the Agency to prepare an urban renewal plan for the Westchester Avenue Urban Renewal Project No. WPUR-14, and further directed the Agency, upon Agency approval of such plan, to cause it to be submitted to the Planning Board for review and submission of a certified report to the Common Council after a duly noticed public hearing.
- K. An urban renewal plan is defined in General Municipal Law at Section 502.7 as "A plan for an urban renewal project which shall conform to the comprehensive community plan for the development of the municipality as a whole and which shall be consistent with local objectives. Such urban renewal plan shall include but shall not be limited to: a statement of proposed land uses; proposed land acquisition, demolition and removal of structures; proposed acquisition of air rights and concomitant easements or other rights of user necessary for the use and development of such air rights; proposed methods or techniques of urban renewal; proposed public, semi-public, private or community facilities or utilities; a statement as to proposed new codes and ordinances and amendments to existing codes and ordinances as are required or necessary to effectuate the plan; proposed program of code enforcement; a proposed time schedule for the

effectuation of such plan, and such additional statements or documentation as the agency may deem appropriate.”

- L. Consistent with GML Section 505 and with the directions of the Common Council to the Agency in its resolution, adopted December 1, 2014, designating and delineating the Westchester Avenue Urban Renewal Project Area, Project No. WPUR-14, for the Agency to prepare an urban renewal plan for the Project Area, Agency staff has prepared and submitted to the Agency a proposed Westchester Avenue Urban Renewal Area Project No. WPUR-14 Phase I Urban Renewal Plan, dated December 30, 2014 (“Westchester Avenue Phase I Urban Renewal Plan” or “Phase I Plan”), which Phase I Plan was submitted to the Agency members on December 31, 2014 and appears on the agenda of the Agency for its meeting of January 7, 2015.
- M. The Westchester Avenue Phase I Urban Renewal Plan states that its vision is “to transform the underutilized site into a vibrant, mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue, thereby harnessing the full potential of the site, increasing the tax base, and creating a welcoming place for people to live, work and shop.”
- N. Based on this vision statement and the issues identified in the Westchester Avenue Urban Renewal Project Area Report, the Phase I Plan sets forth the following goals related to improving conditions in the Phase I Project Area:
 - 1. To eliminate substandard conditions;
 - 2. To promote mixed-use redevelopment of underutilized land;
 - 3. To create a safe and attractive pedestrian environment;
 - 4. To improve safety and efficiency in vehicular access and circulation;
 - 5. To address deficiencies in off-street parking;
 - 6. To enhance the aesthetics and overall image of the Project Area; and
 - 7. To help generate economic activity and increase the tax base.
- O. The Phase I Plan addresses the consistency of the Phase I Plan with the 1997 Comprehensive Plan of the City of White Plains as amended through 2006 (“Comprehensive Plan”), which Comprehensive Plan meets the definition of a “comprehensive community plan” in GML Section 502.6, and demonstrates that the Westchester Avenue Project Area is identified in the City’s Comprehensive Plan as an “Area Where Major Redevelopment Could Occur,” with recommendations for its redevelopment included in the Comprehensive Plan discussions of New Corridors and Major Properties. Specific Comprehensive Plan recommendations for the redevelopment of the proposed Westchester Avenue Urban Renewal Project Area are listed below:
 - 1. Intersections with high degrees of pedestrian-vehicular conflict are predominantly found along ... Westchester Avenue. Possible modifications to reduce these conflicts include neck downs (sidewalk extensions at intersections), pavement design changes used in other communities, more pedestrian crosswalks, and curbside parking during non-rush hour periods.
 - 2. The Plan’s vision for this segment of Westchester Avenue is a medium density commercial corridor that clearly separates the commercial “Specialty Retail Area” on the south side of Westchester Avenue from the intermediate business district to

the north of Westchester Avenue.

3. The zoning along the northerly side of Westchester Avenue from the supermarket access road to Armory Place should remain B-3 Intermediate Business district. Any development in this area must be carefully assessed to ensure that traffic and parking impacts will not negatively impact residential uses in the RM-0.35 residential district along Franklin Avenue.
 4. Protect the residential neighborhoods of Eastview and Carhart, which abut the Core Area's Specialty Retail Area and Westchester Avenue, from intrusion of commercial uses, accessory uses and their impacts, including parking, traffic and conversion of residential uses to nonresidential uses.
 5. The Plan's vision for the Eastview School and the adjacent publicly and privately-owned properties running through to Westchester Avenue ... envisions the unified redevelopment of the northern Westchester Avenue frontage with new commercial uses, particularly including a supermarket.
 6. From an overall perspective, Westchester Avenue would provide a more appropriate frontage for retail development than would the Eastview property. The area presently contains a mix of uses, including a municipal parking lot with development significantly less than the zoning potential. The opening of The Westchester has increased the value of Westchester Avenue as a retail location. Any commercial development along this frontage should have access from Westchester Avenue, preferably at the Bloomingdale Road intersection and not from neighborhood streets such as Franklin Avenue or Amherst Place.
- P. The Phase I Plan includes, but is not limited to, the components set forth in GML Section 502.7 for an urban renewal plan, including the following:
1. a statement of proposed land uses under the heading "Permitted Uses";
 2. proposed land acquisition, demolition and removal of structures under the heading "Land Acquisition;
 3. proposed methods or techniques of urban renewal described throughout the Phase I Plan;
 4. proposed acquisition and redevelopment of public, semi-public, private or community facilities or utilities;
 5. a statement of proposed new codes and ordinances and amendments to existing codes and ordinances as are required or necessary to effectuate the Phase I Plan under the heading "Permitted Uses";
 6. proposed program of code enforcement consistent with the City's codes and regulations; and
 7. a proposed time schedule for the effectuation of the Phase I Plan; and
 8. such additional statements or documentation as the Agency may deem appropriate.
- Q. GML Sections 505.2-4 set forth the procedure for the approval of an urban renewal plan after an urban renewal area has been designated pursuant to General Municipal Law Section 504:
1. The Agency must prepare or cause to be prepared an urban renewal plan for all or a part of the designated project area. The Agency staff has presented such a plan, the Westchester Avenue Phase I Urban Renewal Plan, for the Agency's consideration

- pursuant to GML Section 505.1.
2. Upon acceptance of an urban renewal plan, the Agency must submit such plan for the designated area to the Planning Board which board, after a duly noticed public hearing, must certify to the Common Council, as the governing body, whether such plan complies with the requirements of GML 502.7 and conforms to the findings made pursuant to GML Section 504.
 3. No later than 10 weeks after the date the urban renewal plan is referred to the Planning Board and after the duly noticed public hearing, the board must certify to the Common Council as the governing body:
 - (a) its unqualified support for the plan;
 - (b) its qualified approval with recommendations for modifications identified in its certification; or
 - (c) its disapproval of the plan.
 4. After a duly noticed public hearing has been held by the Common Council, either after receipt of the certified report from the Planning Board or after the date upon which such report is due from the Planning Board, the Common Council may take one of the following actions:
 - (a) if the Planning Board certifies its unqualified approval of the plan, the Common Council may approve the urban renewal plan by a majority vote;
 - (b) if the Planning Board certifies its disapproval of the plan or fails to make a report within the ten week time frame allotted, the Common Council can still approve the plan but it must be by a three-fourths vote; or
 - (c) if the Planning Board gives a qualified certification with recommendations for modifications, the Common Council may approve the plan with the recommended modifications of the Planning Board by a majority vote or approve the plan without the Planning Board modifications by a three-fourths vote.
 5. After approving the urban renewal plan, the Common Council must make the applicable findings set forth in GML 505.4.
- R. The Agency has reviewed and considered the Westchester Avenue Phase I Urban Renewal Plan and this Resolution 1-2015 prepared by Agency staff.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Agency hereby finds that the Westchester Avenue Phase I Urban Renewal Plan for the Westchester Avenue Urban Renewal Project No. WPUR- 14, dated December 30, 2014, is consistent with the Comprehensive Plan, which Plan is the “comprehensive community plan” for the City of White Plains identified and described in GML Section 502.6.
2. The Agency hereby further finds that the Westchester Avenue Phase I Urban Renewal Plan includes the components of an urban renewal plan and meets the requirements of GML Section 502.7
3. The Agency hereby further finds that the vision for the delineated and designated Westchester Avenue Urban Renewal Project No. WPUR- 14 as set forth in the Westchester Avenue Phase I Urban Renewal Plan is appropriate and is in the interest of sound

community planning and in the public interest.

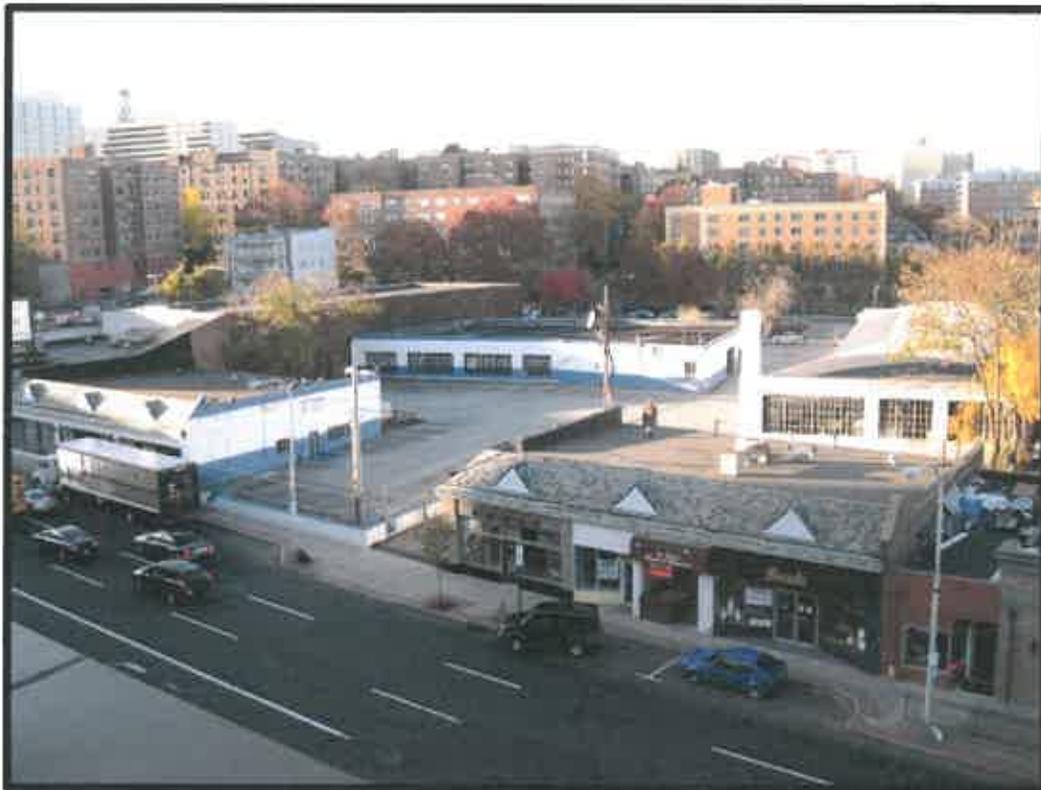
4. The Agency hereby approves the Westchester Avenue Phase I Urban Renewal Plan for the Westchester Avenue Urban Renewal Project No. WPUR- 14, dated December 30, 2014.
5. The Agency hereby directs the Executive Director of the Agency to submit the Westchester Avenue Phase I Urban Renewal Plan for the Westchester Avenue Urban Renewal Project No. WPUR- 14, dated December 30, 2014, to the Planning Board with detailed directions to that Board, as set forth in GML Section 505, regarding the holding by the Planning Board of a public hearing on the Westchester Avenue Phase I Urban Renewal Plan and the required procedures and alternatives for the Planning Board to follow in its review and certification to the Common Council of a report on said Westchester Avenue Phase I Urban Renewal Plan.

Dated: December 31, 2014

Approved: January 7, 2015

**WHITE PLAINS URBAN RENEWAL AGENCY
WESTCHESTER AVENUE URBAN RENEWAL
AREA**

**PROJECT NO. WPUR – 14
PHASE I URBAN RENEWAL PLAN**



Prepared by: White Plains Urban Renewal Agency Staff

Submitted to: White Plains Urban Renewal Agency

Date: December 30, 2014

Adopted: January 7, 2015

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I. INTRODUCTION

A. LEGAL AUTHORITY

Based on the recommendation of the White Plains Urban Renewal Agency (“the Agency”), the City of White Plains (“the City”), by resolution of the Common Council, has designated the Westchester Avenue Urban Renewal Area as “White Plains Urban Renewal Area 14” (“WPUR-14”) pursuant to §504 of Article 15 of the New York State General Municipal Law. The Agency represents the City in carrying out the provisions of New York General Municipal Law (“GML”) Articles 15 and 15-A and the following Local Laws of the City of White Plains incorporating GML Article 15-A: Local Law 1963, Ch. 573, § 1 and § 2; Local Law 1964, Ch. 266, § 583; and Local Law 1964, Ch. 928, § 1 (together referred to herein as the “Urban Renewal Law”). In accordance with the requirements set forth in Article 15, this Urban Renewal Plan for the Westchester Avenue Urban Renewal Area has been prepared to promote and regulate development within the Urban Renewal Area as defined below. It is based, in part, on the findings of the December 2014 *Westchester Avenue Urban Renewal Area Designation Study*.

B. PROJECT OVERVIEW

By designating the Westchester Avenue Urban Renewal Area, the City of White Plains acknowledged the condition of “slum and blight,” as defined in the Urban Renewal Law and such areas proximate thereto which are becoming slum or blighted due to substandard, insanitary, deteriorated or deteriorating conditions. The City of White Plains through the White Plains Urban Renewal Agency intends to address these conditions by undertaking a renewal process within the designated area, including clearance, re-planning and regulatory revisions, reconstruction, redevelopment, rehabilitation, restoration and/or conservation related to public and private improvements. Pursuant to the provisions of the Urban Renewal Law, it is recommended that the urban renewal activities to be undertaken in the Urban Renewal Area be carried out in stages. This document, the “Westchester Avenue Urban Renewal Area Phase I Plan” constitutes the plan for the revitalization of a 5.17-acre portion of the designated approximately 6.2-acre Westchester Avenue Urban Renewal Area (see Figure 1, “Westchester Avenue WPUR-14 Parcels, Zoning, and Phase I Project Area”).

The purpose of this plan (referred to herein as the “Westchester Avenue Urban Renewal Area Phase I Plan” (“the Phase I Plan”)) is to stimulate and guide public and private investments, and to identify the specific activities necessary to redevelop the Phase I Project Area (“the Project Area”). The Phase I Plan is based on the vision, goals, and objectives, listed below, and includes the following components, as stipulated in the Urban Renewal Law:

- A proposed land use plan;
- Proposed land acquisition, demolition, and removal of structures and other clearance activities;
- A statement of proposed redevelopment activities, including planned land uses, maximum density, and building requirements;
- Proposed acquisition of easements or other rights of user necessary for the use and development of the Project Area;
- Proposed methods or techniques of urban renewal;
- Proposed public, semi-public, private or community facilities or utilities;
- A statement as to proposed new codes and ordinances and amendments to existing codes and ordinances as are required or necessary to effectuate the plan; and
- Proposed program of code enforcement; a proposed time schedule for the effectuation of such plan, and such additional statements or documentation as the agency may deem appropriate.

II. DESCRIPTION OF THE PROJECT

A. PROJECT AREA BOUNDARY

URBAN RENEWAL AREA BOUNDARY

The Westchester Avenue Urban Renewal Project Area was officially designated as “Urban Renewal Project Area – WPUR-14” by unanimous vote of the Common Council at its December 1, 2014 meeting. The boundary of the Urban Renewal Area WPUR-14 is shown in Figure 1, the Urban Renewal Area encompasses 19 parcels of land comprising approximately 6.2 acres. It is located directly north of The Westchester shopping mall and extends from Westchester Avenue to Franklin Avenue. The WPUR-14 area, located immediately west of the Bloomingdale Road exit off Interstate-287, has excellent highway access. It lies just outside the City’s downtown area and is about one mile from the White Plains TransCenter and Metro North rail station. See Figure 2, “Project Location.”

PHASE I PROJECT AREA BOUNDARY

The Phase I Project Area was selected for the Phase I Plan based on the fact that the majority of the total land area of the Phase I parcels is held by or contracted to be sold to one common owner. As shown in Figure 1 the Phase I Project Area includes 15 of the 19 parcels in the Westchester Avenue Urban Renewal Area. Table 1, “Westchester Avenue WPUR-14 Phase I Project Area: Existing Land Use, Ownership, and Zoning” provides the characteristics of the 15 individual parcels.

B. VISION, GOALS, AND OBJECTIVES

VISION

The overall vision for the area is to transform the underutilized site into a vibrant, mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue, thereby harnessing the full potential of the site, increasing the tax base, and creating a welcoming place for people to live work and shop.

GOALS

Based on this vision and the issues identified in the Westchester Avenue Urban Renewal Project Area Designation Study, this Plan is guided by the following goals related to improving conditions in the Phase I Project Area:

1. To eliminate substandard conditions;
2. To promote mixed-use redevelopment of underutilized land;
3. To create a safe and attractive pedestrian environment;
4. To improve safety and efficiency in vehicular access and circulation;
5. To address deficiencies in off-street parking;
6. To enhance the aesthetics and overall image of the Project Area; and
8. To help generate economic activity and increase the tax base.

TABLE 1
WESTCHESTER AVENUE WPUR-14 PHASE I PROJECT AREA
Existing Land Use, Ownership, and Zoning

Map #	Address	SBL	Land Area (sf)	Acres	Owner	Land Use	Improved	Zoning District	Max FAR	Max Building Coverage	Height (Max)	
											Stories	Feet
1	30-36 Franklin Ave	126.61-3-23	15,801	0.36	70 Westchester, LLC	Car dealership auto storage	Unimproved	RM-0.35	3.2	60%	6 (n)	125
2	38-40 Franklin Ave	126.61-3-24	10,530	0.24	70 Westchester, LLC	Car dealership auto storage	Unimproved	RM-0.35	3.2	60%	6 (n)	125
3	42-44 Franklin Ave	126.61-3-25	10,475	0.24	70 Westchester, LLC	Car dealership auto storage	Unimproved	RM-0.35	3.2	60%	6 (n)	125
4	50 Franklin Ave	126.61-3-26	27,897	0.64	City of White Plains	Municipal Parking Lot	Unimproved	RM-0.35	3.2	60%	6 (n)	125
5	58-60 Franklin Ave	26.61-3-27	6,664	0.15	City of White Plains	Municipal Parking Lot	Unimproved	RM-0.35	3.2	60%	6 (n)	125
6	62 Franklin Ave	126.61-3-28	6,821	0.16	City of White Plains	Municipal Parking Lot	Unimproved	RM-0.35	3.2	60%	6 (n)	125
7	Franklin Ave	126.61-3-29	4,031	0.09	City of White Plains	Municipal Parking Lot	Unimproved	RM-0.35	3.2	60%	6 (n)	125
8	116 Westchester Ave	126.61-3-10	20,460	0.47	Winnick Realty LLC	Car Rental	2,106 sf Bldg.	B-3	2	80%	4	50
9	106 Westchester Ave	126.61-3-11	17,876	0.41	Doyle, Helen Hartwell	Westchester Burger Co.	2,979 sf Bldg.	B-3	2	80%	4	50
10	92-98 Westchester Ave	126.61-3-12	6,250	0.14	Saber White Plains, LLC	1 retail, 2 vacant	4,331 sf Bldg.	B-3	2	80%	4	50
11	84-88 Westchester Ave	126.61-3-14	7,622	0.17	Chauncey White Plains, LLC	Auto service parking	Unimproved	B-3	2	80%	4	50
12	80 Westchester Ave	126.61-3-13	52,053	1.19	Chauncey White Plains, LLC	Auto service center	26,060 sf Bldg.	B-3	2	80%	4	50
13	70 Westchester Ave	126.61-3-15	15,991	0.37	70 Westchester, LLC	Car dealership	23,754 sf Bldg.	B-3	2	80%	4	50
14	64-68 Westchester Ave	126.61-3-16.1	9,098	0.21	70 Westchester, LLC	Car dealership		B-3	2	80%	4	50
15	62 Westchester Ave	126.61-3-16.2	18,141	0.42	70 Westchester, LLC	Car dealership	Unimproved	B-3	2	80%	4	50

Total Land Area (sf) 225,151 5.17 acres

(n) – The number of stories may be increased within the maximum height as measured in feet, with a front yard of not less than 20 feet, on issuance of a special permit by the Common Council.

OBJECTIVES

To achieve such comprehensive redevelopment within the WPUR-14 Project Area the objectives of the Phase I Plan include the following:

ELIMINATE SUBSTANDARD CONDITIONS

- Remove impediments to land assemblage in order to provide a site for construction of a new mixed-use development.
- Remove substandard structures and land uses that do not contribute to the vitality of the neighborhood, which have a blighting influence on the Project Area, the surrounding residential and commercial area, and are incompatible with recommendations of the Comprehensive Plan.
- Identify any potential for contaminated materials in the project area has been properly investigated and remediated, as appropriate.

PROMOTE MIXED-USE REDEVELOPMENT

- Facilitate new mixed-use development, including new multi-family housing; retail and service uses, and shared private/public parking through appropriate modifications to City land use regulations, including zoning regulations.

IMPROVE PUBLIC SAFETY BY CREATING A SAFE AND ATTRACTIVE PEDESTRIAN ENVIRONMENT

- Acquire the driveway that runs along the east side of the Westchester Burger Company building, located at 106 Westchester Avenue, for the following purposes: to address existing safety hazards for pedestrians and vehicles; and to provide access to a new parking garage to serve the entire Project Area.
- Acquire or obtain an easement from the Avis/Budget car rental site (116 Westchester Avenue) for the purpose of developing a pedestrian walkway/sidewalk connecting the Franklin-Windsor/Eastview neighborhood with the Project Area and other destinations on Westchester Avenue and beyond.

IMPROVE SAFETY AND EFFICIENCY IN VEHICULAR ACCESS AND CIRCULATION

- Re-design and improve vehicular circulation areas. This shall include but not be limited to:
 - Providing for shared access points to public roads;
 - Re-designing the Westchester Burger driveway to: eliminate the existing steep change in grade and two-way traffic on the narrow driveway; improve obstructed sight lines; and provide shared access and parking with adjoining lots; and
 - Focusing site ingress and egress at the existing traffic signal at Paulding Street;
- Provide needed changes in signal timing and phasing.
- Maintain good truck access to businesses within the urban renewal area while limiting truck movement on residential streets.

ADDRESS DEFICIENCIES IN OFF-STREET PARKING

- Transfer ownership of the 153-space Franklin municipal parking lot from the City to the Agency for the purpose of re-developing the existing surface lot into a parking garage that increases the number of available spaces on the site, for use by existing residents of the neighborhood and for the future development of the Phase I Project Area.
- Design a parking structure that will accommodate required parking for the private mixed-use development in the urban renewal area.

ENHANCE THE AESTHETICS AND OVERALL IMAGE OF THE PROJECT AREA

- Provide clear development standards for the mixed-use redevelopment of the area.
- Remove large areas of deteriorating structures and surface parking.
- Move uses that have a negative visual impact to below grade locations thereby retaining existing business while utilizing prime street level space for retail and pedestrian friendly uses.

GENERATE ECONOMIC ACTIVITY AND INCREASE THE TAX BASE

- Replace unimproved surface parking areas and under-developed one story structures with new multi-story mixed-use buildings that will generate higher tax revenues and create both temporary construction and permanent operating jobs.

C. PROPOSED LAND USE PLAN

As stated above, the Common Council has designated the WPUR-14 Urban Renewal Area and instructed the Agency to prepare an Urban Renewal Plan for its revitalization. This Plan proposes clearance and redevelopment activities for deteriorated properties and key underutilized sites within the Phase I Project Area. These activities include the demolition of existing improvements, followed by construction of a new mixed-use development.

LAND ACQUISITION AND LAND USE MAP

Acquisition Parcels may be acquired by any means permitted pursuant to applicable Laws. Regardless of the method of acquisition, every Acquisition Parcel acquired by the City or the Agency will be subject to the controls of, and developed in accordance with General Municipal Law Articles 15 and 15A, and with this Plan. The following properties are proposed to be acquired for the purpose of achieving the objectives stated herein:

<u>Address</u>	<u>Owner</u>	<u>SBL</u>	<u>Land Area</u>	<u>Current Use</u>
116 Westchester Avenue	Winnick Realty LLC	126.61-3-10	20,460	Motor vehicle rental
106 Westchester Avenue	Helen Hartwell Doyle	126.61-3-11	17,876	Restaurant
50 Franklin Avenue	City of White Plains	126.61-3-26	27,897	Parking lot
58-60 Franklin Avenue	City of White Plains	126.61-3-27	6,664	Parking lot
62 Franklin Avenue	City of White Plains	126.61-3-28	6,821	Parking lot
Franklin Avenue	City of White Plains	126.61-3-29	4,031	Parking lot

Figure 3, entitled, "Land Acquisition Map," shows the area proposed for redevelopment and the 6 parcels proposed for acquisition.

This plan does not compel the City or the Agency to acquire these parcels. The buildings on properties acquired in accordance with this Plan are not proposed for demolition at this time, as they are not needed to effectuate the objectives of this Plan.

The Plan seeks to minimize commercial uses and activities on the Franklin Avenue side of the site as follows:

- Prohibit or restrict commercial loading activities from the Franklin Avenue side of the site.
- Permit access from Franklin Avenue to the development site only to above-ground parking garage to be developed on Franklin Avenue and only for municipal parking facility permit holders and residents of any new development in the Project Area.
- Prohibit above-ground commercial uses fronting on Franklin Avenue.

LAND USE PROVISIONS AND BUILDING REQUIREMENTS

PERMITTED USES

The Phase I Plan's land use strategy consists of blending the uses currently permitted in the existing B-3 and RM-0.35 zoning districts. The land uses permitted by the underlying zoning of the WPUR-14 are generally appropriate. However, with the acquisition and assemblage of parcels for redevelopment, certain existing parcels currently located in different districts with different dimensional standards and permitted uses may be appropriate for classification as a single development site. Therefore, some zoning changes to dimensional standards and permitted uses may be needed to achieve the goals of this Plan. By encouraging re-development through one mixed-use development site, coverage in the B-3 may be extended into the RM-0.35 portion of the site provided the aggregate building coverage for the development site does not exceed the total combined coverage permitted on each lot.

Mixed-use development with ground floor retail and residential and/or office space above will be encouraged in the appropriate zoning district.

The vision for the urban renewal area is to promote a vibrant mixed-use district that will provide new residential development while incorporating ground floor retail, restaurant, and motor vehicle sales and rental facilities while relocating the accessory repair shops below grade which preserves the character of the surrounding area and is compatible with the existing scale of the area and current uses. Retail uses developed and/or enhanced along Westchester Avenue should serve both the surrounding neighborhoods and attract shoppers to the area. The retail uses will include restaurants, shops, and personal services. Uses that complement and support the existing and new multi-family residential uses will be a component of redevelopment of the area. Subject to the amendments described in this section, the existing zoning districts are generally appropriate to implement the land use objectives for the area.

III. CONFORMITY TO THE COMPREHENSIVE PLAN AND CONSISTENCY WITH LOCAL OBJECTIVES

The City's Comprehensive Plan is recognized as the guide for future development of the City of White Plains. Combined, these documents meet the NYS General Municipal Law definition of a "comprehensive community

plan,” and establish goals and strategies for the redevelopment and revitalization of the Westchester Avenue corridor area.

The Westchester Avenue Project Area is identified in the City's Comprehensive Plan as an “Area Where Major Redevelopment Could Occur,” and recommendations for its redevelopment are included in the discussions of New Corridors and Major Properties. Specific Plan recommendations for the redevelopment of the proposed Westchester Avenue Urban Renewal Project Area are listed below:

- Intersections with high degrees of pedestrian-vehicular conflict are predominantly found along ... Westchester Avenue. Possible modifications to reduce these conflicts include neck downs (sidewalk extensions at intersections), pavement design changes used in other communities, more pedestrian crosswalks, and curbside parking during non-rush hour periods.
- The Plan's vision for this segment of Westchester Avenue is a medium density commercial corridor that clearly separates the commercial “Specialty Retail Area” on the south side of Westchester Avenue from the intermediate business district to the north of Westchester Avenue.
- The zoning along the northerly side of Westchester Avenue from the supermarket access road to Armory Place should remain B-3 Intermediate Business district. Any development in this area must be carefully assessed to ensure that traffic and parking impacts will not negatively impact residential uses in the RM-0.35 residential district along Franklin Avenue.
- Protect the residential neighborhoods of Eastview and Carhart, which abut the Core Area's Specialty Retail Area and Westchester Avenue, from intrusion of commercial uses, accessory uses and their impacts, including parking, traffic and conversion of residential uses to nonresidential uses.
- The Plan's vision for the Eastview School and the adjacent publicly and privately-owned properties running through to Westchester Avenue ... envisions the unified redevelopment of the northern Westchester Avenue frontage with new commercial uses, particularly including a supermarket.
- From an overall perspective, Westchester Avenue would provide a more appropriate frontage for retail development than would the Eastview property. The area presently contains a mix of uses, including a municipal parking lot with development significantly less than the zoning potential. The opening of The Westchester has increased the value of Westchester Avenue as a retail location. Any commercial development along this frontage should have access from Westchester Avenue, preferably at the Bloomingdale Road intersection and not from neighborhood streets such as Franklin Avenue or Amherst Place.

The proposed designation of the project area for urban renewal purposes is consistent with identification in the Comprehensive Plan as an “Area Where Major Redevelopment Could Occur”. In addition, the designation of the Project Area is consistent with the Plan's identification of public safety issues related to pedestrian/vehicular conflicts along the Westchester Avenue corridor. The Phase I Plan's goals for the area are all consistent with the use of urban renewal powers to assist in the redevelopment of the area. In addition, the Westchester Avenue Urban Renewal Phase I Plan conforms to all local requirements, including zoning requirements, as amended.

IV. PROJECT PROPOSALS

To achieve the development envisioned in this Plan, a program of acquisition and demolition will be undertaken by a combination of actions by a designated private redeveloper(s) and the City of White Plains. These activities will result in the disposition of properties in the Phase I Project Area for redevelopment in accordance with this Plan. This program of acquisition and demolition is discussed below.

A. LAND ACQUISITION

This Plan provides for the acquisition of properties in the Phase I Project Area by the Agency and a designated private redeveloper for redevelopment purposes. Properties to be acquired for redevelopment are listed in Section II(C) above. No acquisition and development of air rights is contemplated. The specific land acquisition actions are listed below:

- The 153-space municipal parking lot on Franklin Avenue will be acquired by the Agency for the purpose of constructing a parking garage that will increase available spaces for off-street, overnight parking for residents of the neighborhood and sufficient parking to meet the parking needs of new development in the Phase I Project Area.
- The driveway adjacent to the Westchester Burger Company building and rear parking area, located at 106 Westchester Avenue, will be acquired for the purpose of providing safe ingress to the Project Area and safe access to surface parking for the restaurant use at 106 Westchester Avenue.
- A portion of the Avis/Budget rental car parcel (116 Westchester Avenue) will be acquired to allow for the construction of a sidewalk/pedestrian walkway that will connect the Franklin-Windsor/Eastview neighborhood with Westchester Avenue.

The following will apply to the acquisition of property in the Project Area by the White Plains Urban Renewal Agency:

- All real property within the Project Area shown on the Land Acquisition Map as “to-be-acquired” (“TBA”) may be acquired for redevelopment and/or clearance. In general, however, the intention is not to acquire the parcels for demolition but for rights that may include acquisition of fee or easement interest, including leasehold interests in and/or encumbering the real property.
- Where property information and final engineering designs indicate the need for minor revisions in the assemblage parcel property lines, those properties which are “not-to-be-acquired” (“NTBA”) may be acquired, in whole or in part (severance), as needed.
- Similarly, where property information and final engineering designs indicate the need for revisions in severance lines, properties identified as TBA may not be acquired.
- Additionally, property identified as TBA as part of an assemblage of parcels may subsequently be determined to be unnecessary for the assemblage parcel, thus making unnecessary the acquisition of said property, even though it is designated as TBA.

B. RELOCATION

There are no housing units in the Phase I Project Area. As a result, implementation of the Phase I Plan will not require the relocation of any residences.

It is important to note that the Phase I Plan does not require the acquisition of the Westchester Burger restaurant building or of the Avis/Budget rental car building. In addition, it is anticipated that some of the existing on-site businesses will be incorporated in the redevelopment, though not necessarily in their present locations.

C. DEMOLITION

The goals of this Plan do not require the demolition of buildings on the properties “to-be-acquired,” nor does the project involve the rehabilitation of any existing buildings.

D. REDEVELOPMENT

The Phase I Plan calls for the redevelopment of approximately 5.17 acres with a mixed-use project that will transition from commercial uses permitted in the B-3 Zoning District to residential uses along Franklin Avenue in the RM-0.35 Zoning District with the construction of a parking garage that will accommodate the needs of the neighborhood as well as the new residential and commercial uses. The Plan also calls for a redesign of vehicular and pedestrian access to the commercial portion of the site and Franklin Avenue neighborhood.

V. REDEVELOPER OBLIGATIONS

A. RECORDABLE AGREEMENTS

The instrument by which the City or Agency disposes of any Acquisition Parcel within the Project Area or any part thereof to a redeveloper (the “Land Disposition Agreement”) will be recorded in with the Westchester County Clerk Office of Land Records, and with copies provided to the Corporation Counsel, City Clerk of the City of White Plains, Counsel for the Agency, and the Executive Director of the Agency. Such instruments will contain all covenants running with the land which incorporate this Plan by reference and require compliance with the terms and restrictions set forth in this Plan. An amendment to this Plan that becomes effective after the date of disposition of an Acquisition Parcel to a redeveloper will not apply to the real property comprising such Acquisition Parcel unless, following the effective date of such amendment, the City and/or Agency and the owner of such real property execute a written agreement, approved as to form by the City’s Corporation Counsel and, in the case where such disposition of acquired property was by the Agency, the Counsel to the Agency, providing that such amendment shall thereafter apply to such real property.

B. LAND USE RESTRICTION

To prevent speculation in land holding in the Project Area, all private developers will be required to commence and complete the building of all proposed approved improvements within a reasonable time following their acquisition of the real property and any easements or leasehold interested therein.

C. TIMELY PERFORMANCE

Each redeveloper will be required to expeditiously apply for all required governmental approvals and to begin and complete the redevelopment and construction of the improvements mandated by this Plan and agreed upon in the approved Land Disposition Agreement and such other disposition instruments within a reasonable time.

D. NON-DISCRIMINATION

Each redeveloper, its successors and assigns of the land conveyed or any part thereof, and any lessee of the land conveyed or any part thereof (i) will not enter into any agreement, lease, conveyance, or other instrument which restricts the sale, lease, or occupancy of such land or any part thereof upon the basis of race, color, national origin,

ancestry, lineage status, religion, creed, age, sex, marital status, sexual orientation, or disability, and (ii) will comply with all applicable Federal, State, and City laws in effect from time to time prohibiting discrimination or segregation by reason of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability in the sale, lease, or occupancy of the property.

E. DESIGN REVIEW

The Agency may require any redeveloper to submit site plans, landscape plans, architectural drawings, outline specifications, schedules of materials and finishes, and/or final working drawings, in sufficient detail to permit determination of compliance with the controls of this Plan and the Land Disposition Agreement, for Agency approval prior to approval of such plans by the Common Council of the City of White Plains. Prior to commencement of construction, the designated redeveloper shall submit to the Agency any material change to such documents requiring approval by the Agency, whether or not approval by the Common Council is required. Prior to action on such changes the Agency shall consult with the Counsel to the Agency and Agency staff. In addition, the City's Design Review Board will review any proposed new buildings and signage.

F. RESTRICTION ON TRANSFER PRIOR TO COMPLETION

A redeveloper of any real property, easement, or leasehold interest therein, which has been acquired from the White Plains Urban Renewal Agency pursuant to Article 15A of the General Municipal Law, or by the City acting in its urban renewal capacity, pursuant to General Municipal Law Article 15, may not sell, without prior approval of the Agency and the Common Council, any or all interest in Project Area property prior to the completion of redevelopment activities.

G. CERTIFICATE OF COMPLETION

Each redeveloper of an Acquisition Parcel will be required to provide the Agency with "as-built" drawings, which the Agency will use for final determination of compliance and issuance of a Certificate of Completion in accordance with the terms of the disposition instruments.

VI. PROPOSED PUBLIC, SEMI-PUBLIC, PRIVATE, OR COMMUNITY FACILITIES OR UTILITIES

To achieve the community's objectives and to target public investments in a manner which benefits the community, the Agency may improve or construct public facilities and utilities within public rights-of-way, easements, or on public property. These may include public utilities; street improvements; pedestrian sidewalks, crosswalks, signalization improvements, etc.; recreational facilities and open spaces; parking facilities and safety-related public facilities.

In addition, the designated redeveloper(s) will make improvements to facilities, such as, but not limited to, municipal and private parking; water, storm and sanitary sewer lines; vehicular and pedestrian access and circulation; landscaping; and other such improvements that may be needed to adequately serve the Project Area and the affected surrounding community. Public facilities contemplated within the Phase I Urban Renewal Area include such street and sidewalk improvements, including connections to the property line, as may be necessary to serve any proposed development, and off-street parking facilities to serve residents of the neighborhood.

Public improvements may include the design, construction, reconstruction, repair or replacement of sidewalks, streets, pedestrian amenities and other public infrastructure deemed appropriate to achieve the goals and objectives of the Phase I Plan, including, but not limited to:

1. Sidewalks, crosswalks, pedestrian-oriented lighting, and other pedestrian improvements.
2. On- and off-street parking facilities and structures;
3. Signage for directional and informational purposes;
4. Streetscape amenities including benches, lights, and bus shelters;
5. Storm water, sanitary sewer, water, power, communication, and other public or private utility infrastructure;
6. Upgraded streets, if needed;
7. Attractive, adequate, and durable landscaping treatments;
8. Right-of-way improvements, as needed, to enhance safe and convenient auto, pedestrian, transit, and bicycle access;
9. Improvements related to the function of the Project Area as a major gateway to downtown White Plains;
10. Publicly accessible pedestrian plazas, pocket park, or rooftop recreational facilities.

VII. PROPOSED METHODS OR TECHNIQUES OF URBAN RENEWAL

This Plan proposes acquisition of designated properties in the Project Area, designation of easements over certain parcels, and reuse of certain of the properties for development of new housing, businesses, and parking.

VIII. STATEMENT AS TO PROPOSED NEW CODES AND ORDINANCES AND AMENDMENTS TO EXISTING CODES AND ORDINANCES AS ARE REQUIRED OR NECESSARY TO EFFECTUATE THIS PLAN

The Zoning Ordinance may be amended to allow limited retail or service uses in the RM-0.35 zoning district consistent with a mixed-used project, which transitions from commercial along Westchester Avenue to Residential along Franklin Avenue, provided that access to parking and loading areas for those commercial uses occurs on Westchester Avenue.

Amendments to the Zoning Ordinance with respect to the dimensional standard in the B-3 (Intermediate Business District) or to the dimensional and use standards in the RM-0.35 (Residential Multi-Family District), including height and coverage, may be necessary to facilitate the planned redevelopment of the Phase I Project Area.

Also, amendments to allow for accessory motor vehicle repair shops to be located anywhere on the site provided all access for the use is from a County or State road and the use is located entirely below grade.

Finally, amendments to the Zoning Ordinance with respect to “development sites,” which amendments are consistent with the Comprehensive Plan objectives for the Project Area, may be necessary to facilitate the planned redevelopment of the Phase I Project Area and improvement of properties in the Project Area. Moreover, it may be necessary to make amendments to the Traffic Ordinance or Sign Ordinance to effectuate the implementation of this Plan.

IX. PROPOSED TIME SCHEDULE FOR THE EFFECTUATION OF THIS PLAN

Effectuation of this Plan will commence upon approval and adoption of the Phase I Plan by the Common Council of the City of White Plains ("Common Council"). The time schedule that follows is a general guide and contains approximate target dates that the City will make every reasonable effort to meet:

1. Zoning Ordinance Amendment: April 2015
2. Acquisition of Real Property: July 2015
3. Disposition and Redevelopment: September 2015

X. DURATION OF PLAN CONTROLS

The regulations and controls contained in this Plan shall be binding and effective by redevelopment agreement, deed or lease upon all purchasers or lessees of land (and their heirs or assigns) in the Project Area, covered by the Plan, from the date of approval of this Plan by the Common Council of the City of White Plains for a period of forty (40) years, unless amended as provided herein.

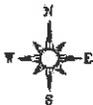
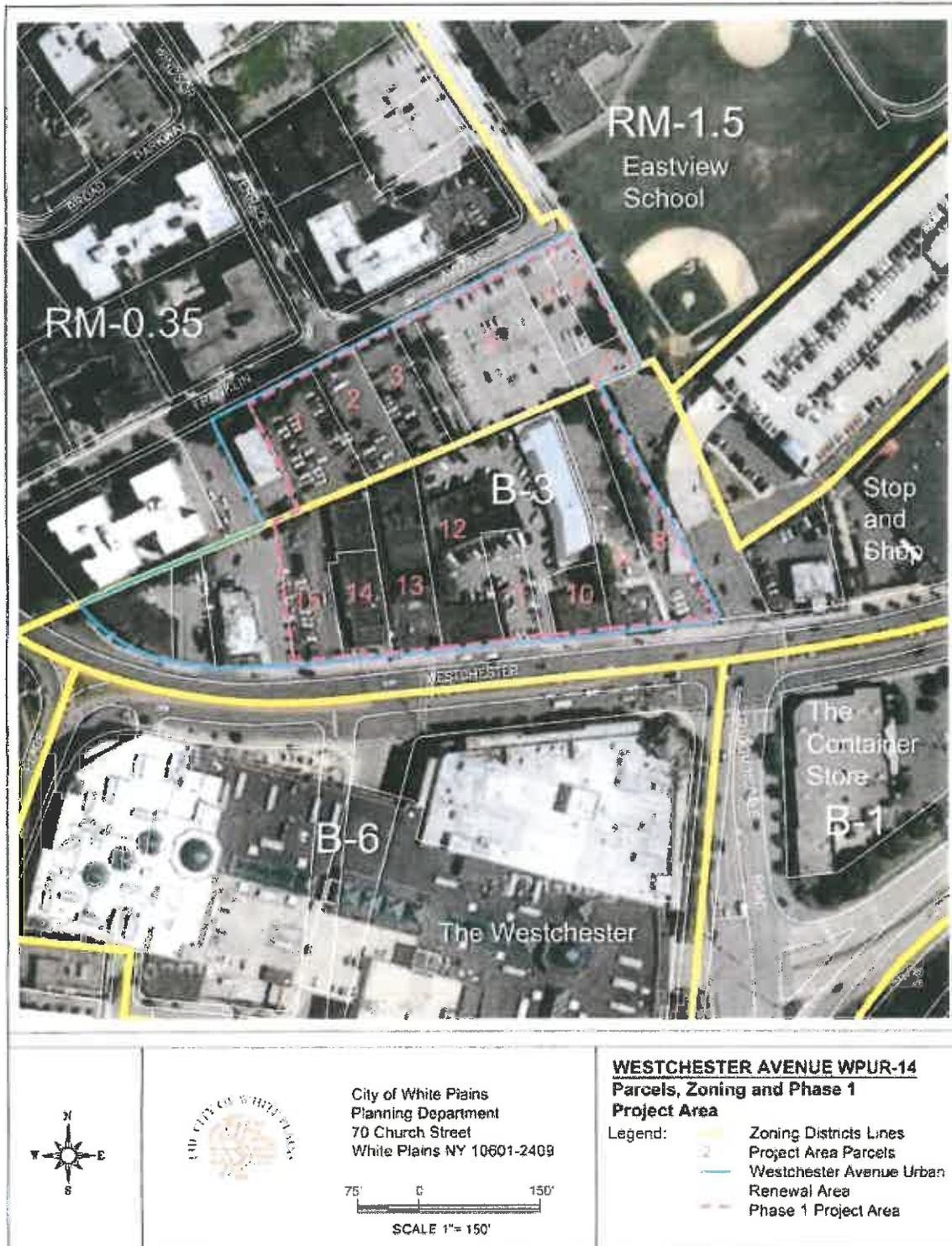
XI. PROCEDURE FOR CHANGES IN APPROVED PLAN

The provisions of this Plan may be modified or amended at any time by the Common Council in accordance with the provisions of Article 15 and Article 15A of New York General Municipal Law. This Urban Renewal Plan may be modified at any time by the City of White Plains, provided: if modified after the lease or sale of real property in the Project Area, the modification must be consented to by the redeveloper or redevelopers of such real property or the successor or successors in interest affected by the proposed modification. Where the proposed modification will substantially change said Plan, the approval of the proposed modification shall follow the same procedure as that which governed the adoption of this Plan. **AMENDMENT PROCESS** Any provision of this Urban Renewal Plan may be amended if the Common Council determines that it is necessary and desirable to do so. Such an amendment must be approved in the same manner as was the adoption of this Urban Renewal Plan (including a public hearing). Amendments refer to major, substantive changes in proposals set forth in the Urban Renewal Plan. Minor amendments may be approved by the Common Council after public discussion and opportunity for public comment at a Common Council meeting without a formal public hearing.

XII. PROVISIONS TO PRESERVE THE INTEGRITY OF THIS PLAN

In order to preserve the integrity of this Plan, the consent of the Common Council, or its designee, will be required, for three years after approval of the Plan, for issuance of a building construction or alteration permit, or certificate of occupancy for a structure or use within the Project Area, unless construction, alteration, or use is necessary for the immediate protection of public health and safety. The Common Council, or its designee, shall base its authorization upon a determination that the proposed construction, alteration or use is consistent with this Plan.

FIGURE 1



City of White Plains
 Planning Department
 70 Church Street
 White Plains NY 10601-2409

75' 0 150'
 SCALE 1"= 150'

**WESTCHESTER AVENUE WPUR-14
 Parcels, Zoning and Phase 1
 Project Area**
 Legend:
 — Zoning Districts Lines
 ■ Project Area Parcels
 — Westchester Avenue Urban
 Renewal Area
 - - - Phase 1 Project Area

FIGURE 2

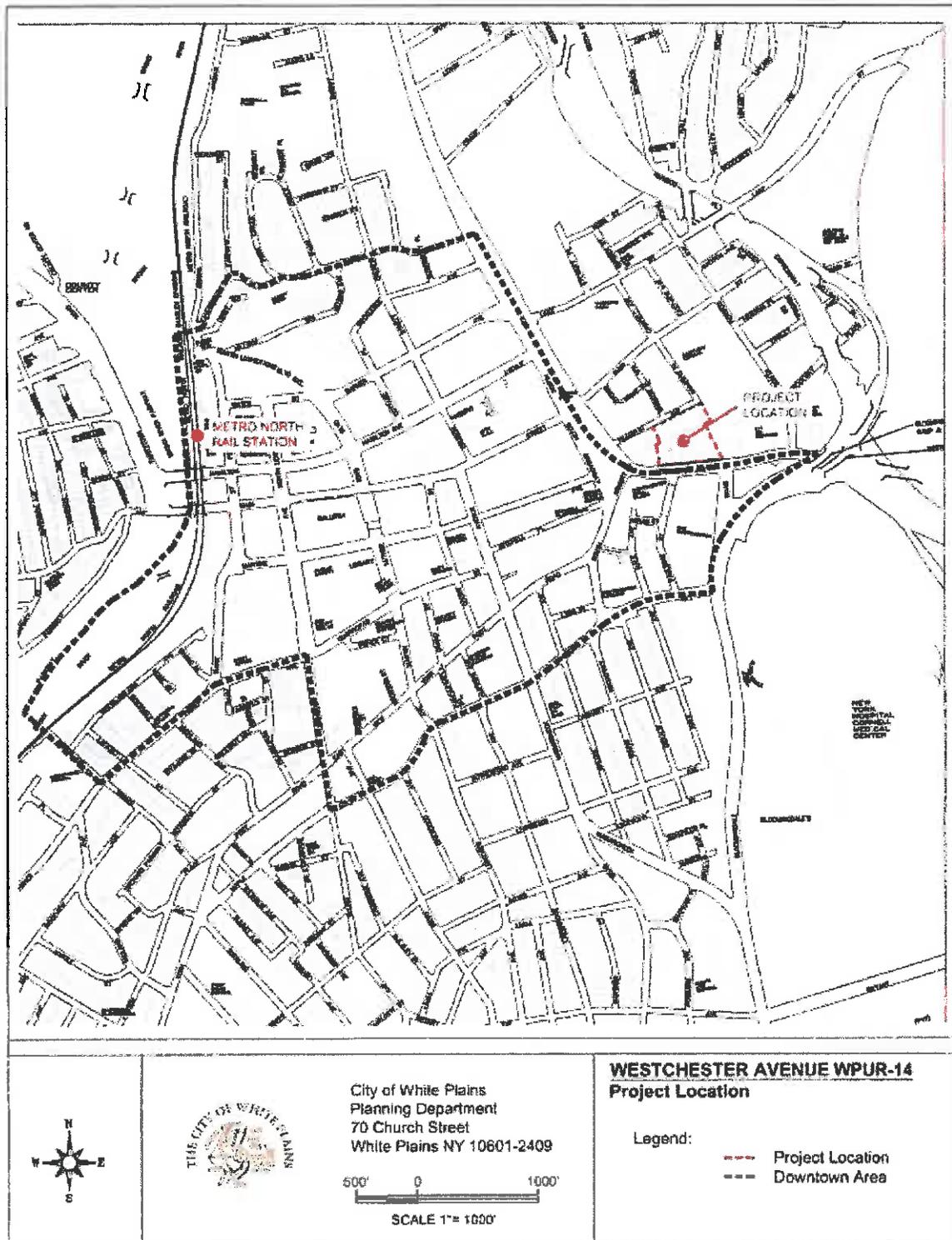


FIGURE 3

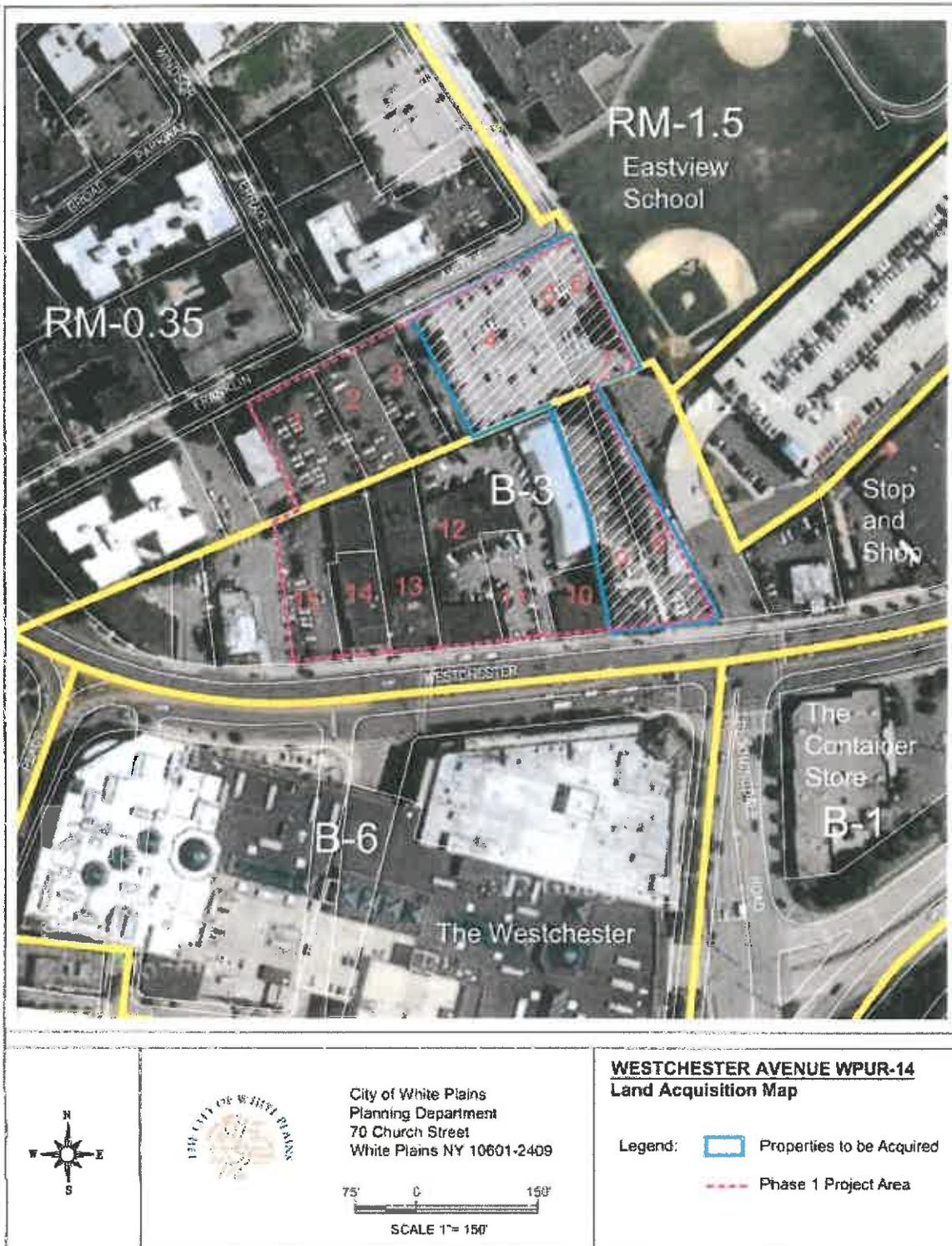


EXHIBIT A
WESTCHESTER AVENUE URBAN RENEWAL PROJECT
PROJECT NO. WPUR-14
PHASE I PROJECT AREA

Boundary Description

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of White Plains, County of Westchester, State of New York, bounded and described as follows:

BEGINNING at a point formed by the division line between property now or formerly 50 Westchester Avenue Realty, and property now or formerly 70 Westchester Avenue, LLC, and the northerly side of Westchester Avenue, said point being distant 509.72 feet to the southerly side of Franklin Avenue;

THENCE, from said point of beginning, along said division line, N.02°54'00"E ., a distance of 97.67 feet;

THENCE, N.00°12'40"E ., a distance of 75.11 feet;

THENCE, N.02°42'50"E ., a distance of 18.47 feet to a point on the southerly side of property at 26 Franklin Avenue;

THENCE, along the division line between property now or formerly 26 Franklin Avenue, LLC, and property now or formerly 70 Westchester Avenue, LLC, N.76°39'45"E ., a distance of 36.96 feet;

THENCE, N.17°33'10"W ., a distance of 39.75 feet;

THENCE, N.72°26'50"E ., a distance of 5.00 feet;

THENCE, N.17°33'10"W ., a distance of 120.00 feet to a point on the southerly side of Franklin Avenue;

THENCE, along said southerly side of Franklin Avenue, N.72°41'02"E ., a distance of 156.65 feet;

THENCE, N.72°38'30"E., a distance of 328.95 feet to a point on the division line between property now or formerly City of White Plains and White Plains City School District (Eastview Middle School);

THENCE, along said division line, S.17°21'30"E ., a distance of 200.16 feet to a point on the northerly side of 120 Westchester Garage LLC;

THENCE, along the division line between property now or formerly 120 Westchester Garage LLC, Winnick Realty LLC, and property now or formerly City of White Plains, S.77°15'00"W ., a distance of 59.83 feet;

THENCE, along the division line between 120 Westchester Garage LLC, and Winnick Realty LLC, S.17°51'02"E ., a distance of 342.60 feet to a point;

THENCE, still along the division line between 120 Westchester Garage LLC and Winnick Realty LLC, S.39°21'37"W ., a distance of 11.66 feet to a point on the northerly side of Westchester Avenue;

THENCE, along said northerly side of Westchester Avenue, N.85°40'00"W ., a distance of 569.05 feet to the division line between property now or formerly 50 Westchester Avenue Realty and property now or formerly 70 Westchester Avenue, LLC, the point and place of BEGINNING.



PLANNING BOARD

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LINDA PUOPLO, LMSW
DEPUTY COMMISSIONER OF PLANNING

EILEEN McCLAIN
SECRETARY

January 22, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: WESTCHESTER AVENUE URBAN RENEWAL PLAN – WPUR-14

At its January 20, 2015 meeting, the Planning Board held a duly noticed public hearing on the Westchester Avenue Urban Renewal Area Project No. WPUR-14 Phase I Urban Renewal Plan. No public comments were made. The Board reviewed Urban Renewal Plan and offers its unqualified support of the Plan, finding it to be consistent with the plans and strategies of the Comprehensive Plan. The Board, therefore, recommends approval of the plan by the Common Council.

The Board believes that redevelopment of the Westchester Avenue Urban Renewal Area will create an enlivened, attractive gateway to White Plains. The Board looks forward to reviewing a site plan for redevelopment of the area and hopes that it will:

- consider traffic realignment possibilities at the Stop and Shop driveway to improve vehicular and pedestrian safety;
- incorporate green technology features;
- ensure that structures fronting on Franklin Avenue have attractive facades; and
- provide interim parking for current users of the Franklin Avenue lot while a new parking garage is under construction.

Planning Board members voting in favor of the motion to offer the Board's unqualified support for the Westchester Avenue Urban Renewal Area Project No. WPUR-14 Phase I Urban Renewal Plan, find it consistent with the Comprehensive Plan, and recommends its approval by the Common Council: M. Quinn, A. Cabrera, J. Durante, L. Oliva, R. Stackpole, (5); Opposed: None (0); Absent: J. Ioris and J. Westlund (2).

Respectfully submitted,
MICHAEL QUINN
Michael Quinn, Chairman
White Plains Planning Board

33

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS SCHEDULING A PUBLIC HEARING FOR MARCH 2, 2015 IN RELATION TO THE APPROVAL OF AN URBAN RENEWAL PLAN FOR THE WESTCHESTER AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-14, ENTITLED "WESTCHESTER AVENUE URBAN RENEWAL AREA PROJECT NO. WPUR-14 PHASE I URBAN RENEWAL PLAN."

WHEREAS, the White Plains Urban Renewal Agency (the "Agency") has prepared an urban renewal plan entitled the "Westchester Avenue Urban Renewal Area project No. WPUR-14 Phase I Urban Renewal Plan;" and at its meeting of January 7, 2015, did adopt Resolution No. 1-2015 entitled, "Resolution of the White Plains Urban Renewal Agency Adopting an Urban Renewal Plan for the Westchester Avenue Urban Renewal Project, Project No. WPUR-14 which Project Area Was Delineated and Designated by the Common Council at its Meeting of December 1, 2014;" and

WHEREAS, the vision of this urban renewal plan, as described in the Agency's approval resolution, is "to transform the underutilized site into a vibrant, mixed-use development that transitions from commercial uses along Westchester Avenue to residential uses along Franklin Avenue, thereby harnessing the full potential of the site, increasing the tax base, and creating a welcoming place for people to live, work and shop;" and

WHEREAS, based on this vision statement and the issues identified in the Westchester Avenue Phase I Urban Renewal Project, Project No. WPUR-14 ("Westchester Avenue Project Area" or "Project Area"), the Westchester Avenue Phase I Urban Renewal Plan sets forth the following goals related to improving conditions in the Phase I Project Area:

1. To eliminate substandard conditions;

2. To promote a mixed-use redevelopment of underutilized land;
3. To create a safe and attractive pedestrian environment;
4. To improve safety and efficiency in vehicular access and circulation;
5. To address deficiencies in off-street parking;
6. To enhance the aesthetics and overall image of the Project Area; and
7. To help generate economic activity and increase the tax base; and

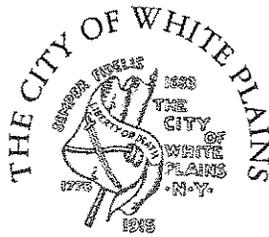
WHEREAS, the Planning Board held a duly noticed public on the Westchester Avenue Phase I Plan on January 20, 2015; and

WHEREAS, the Planning Board, after conducting the duly noticed public hearing, prepared a report to the Common Council pursuant to General Municipal Law Section 505, certifying that the Westchester Avenue Phase I Plan complies with the provisions of Section 502(7) of the General Municipal Law, and finding that the area designated as the Westchester Avenue Phase I Urban Renewal Project, Project No. WPUR-14, is appropriate for urban renewal as defined in Section 502(3) of the General Municipal Law; and

WHEREAS, Section 505 of the New York State General Municipal Law requires that the Common Council hold a public hearing on due notice on the proposed Westchester Avenue Phase I Plan before taking action on the Plan; now, therefore be it

RESOLVED, that a public hearing in relation to the proposed Westchester Avenue Phase I Plan will be held before the Common Council on March 2, 2015 at 7:30 p.m. in the Common Council Chamber, Municipal Building, 255 Main Street, White Plains, New York; and be it further

RESOLVED, that the City Clerk is directed to give notice of said public hearing pursuant to Article 15 of the General Municipal Law.



DEPARTMENT OF LAW
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601

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JOHN G. CALLAHAN
Corporation Counsel

CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

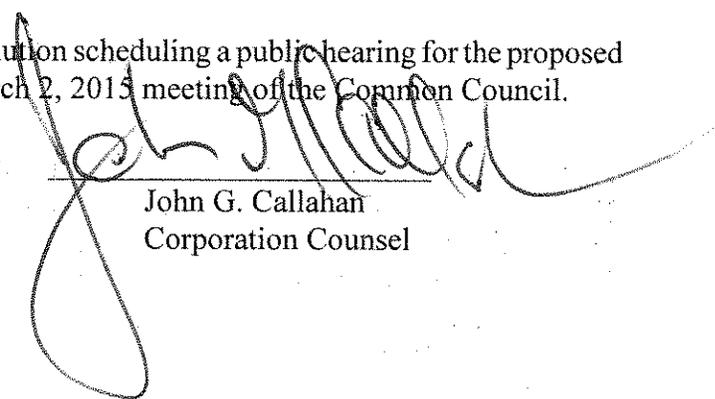
DANIEL K. SPENCER
Deputy Corporation Counsel

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF THE
CITY OF WHITE PLAINS

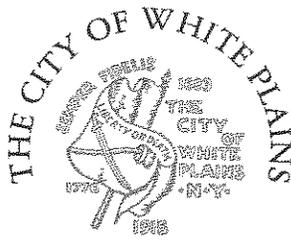
At its January 5, 2015, the Common Council received and referred legislation submitted by the Deputy Commissioner of Parking for Transportation Engineering, to amend the Zoning Ordinance of the City of White Plains ("Zoning Ordinance") to the Law Department for review pursuant to Section 12 of the Zoning Ordinance. The Zoning Ordinance amendment, as proposed, would amend the portion of Section 8.3 with respect to the parking requirements for "Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including 'cafes' and 'real estate offices,' but not including sales of automobile parts and accessories including installation at the point of sale," by adding a new parking requirement for the certain uses of "retail stores," of 4.0 spaces per 1,000 square feet of floor area, where the use is located outside of the Central Parking Area (CPA), and has a gross floor area of at least 150,000 square feet.

The Planning Board, in a communication dated January 22, 2015, determined that the proposed amendment is in appropriate form and has no objection to its approval by the Common Council. The Law Department has reviewed the proposed ordinance and has no objection to its form or content.

Submitted for your consideration is a resolution scheduling a public hearing for the proposed amendment to the Zoning Ordinance for the March 2, 2015 meeting of the Common Council.


John G. Callahan
Corporation Counsel

Dated: January 23, 2015
(For the Common Council Meeting
of February 2, 2015)



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SECRETARY

January 22, 2015

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: PROPOSED ZONING ORDINANCE AMENDMENT TO DECREASE THE
PARKING REQUIREMENT FOR RETAIL CENTERS ON SITES OF
150,000SF OR GREATER, LOCATED OUTSIDE THE CPA

At its January 20, 2015 meeting, the Planning Board discussed the proposed Zoning Ordinance amendment to decrease the parking requirement for retail centers on sites of 150,000sf or greater, located outside the CPA.

The Planning Board finds the proposed amendment appropriate to form and has no objection to scheduling a public hearing on this matter, or its approval by the Common Council.

Planning Board members voting in favor of the motion to find the proposed amendment appropriate as to form, recommend scheduling a public hearing, and offer no objection to its approval by the Common Council: M. Quinn, A. Cabrera, J. Durante, L. Oliva, R. Stackpole, (5); Opposed: None (0); Absent: J. Ioris and J. Westlund (2).

Respectfully submitted,

MICHAEL QUINN

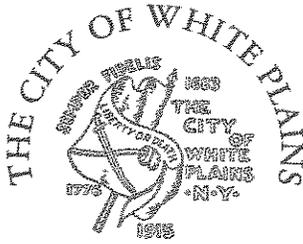
Michael Quinn, Chairman

White Plains Planning Board

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS SCHEDULING A PUBLIC HEARING FOR MARCH 2, 2015, IN RELATION TO THE PROPOSED AMENDMENT TO SECTION 8.3 OF THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS WITH RESPECT TO THE PARKING REQUIREMENTS FOR “STORES FOR SALES AT RETAIL OR PERFORMANCE OF CUSTOMARY PERSONAL SERVICES OR SERVICES CLEARLY INCIDENT TO RETAIL SALES, INCLUDING ‘CAFES’ AND ‘REAL ESTATE OFFICES’, BUT NOT INCLUDING SALES OF AUTOMOBILE PARTS AND ACCESSORIES INCLUDING INSTALLATION AT THE POINT OF SALE,” BY ADDING A NEW PARKING REQUIREMENT FOR THE CERTAIN USES OF “RETAIL STORES” OF 4.0 SPACES PER 1,000 SQUARE FEET OF FLOOR AREA, WHERE THE USE IS LOCATED OUTSIDE OF THE CENTRAL PARKING AREA (CPA), AND HAS A GROSS FLOOR AREA OF AT LEAST 150,000 SQUARE FEET.

RESOLVED, that a public hearing in relation to the proposed amendment to Section 8.3 of the Zoning Ordinance of the City of White Plains (“Zoning Ordinance”) with respect to the parking requirements for “Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including ‘cafes’ and ‘real estate offices,’ but not including sales of automobile parts and accessories including installation at the point of sale,” by adding a new parking requirement for the certain uses of “retail stores,” of 4.0 spaces per 1,000 square feet of floor area, where the use is located outside of the Central Parking Area (CPA), and has a gross floor area of at least 150,000 square feet, will be held before the Common Council of the City of White Plains on March 2, 2015 at 7:30 p.m. in the Common Council Chamber, Municipal Building, 255 Main Street, White Plains, New York; and be it further

RESOLVED, that the City Clerk hereby is directed to give notice of said public hearing pursuant to and in accordance with Section 12 of the Zoning Ordinance.



**"The Birthplace of the State of New York"
OFFICE OF THE MAYOR**

**THOMAS M. ROACH
MAYOR**

**t:914.422.1411
f:914.422.1395**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL

Attached for your consideration is a resolution authorizing the certification of a Home Rule request from the City of White Plains seeking the enactment of New York State legislation extending the City of White Plains' ability to retain the additional one-half of one percent (1/2%), the additional one-quarter of one percent (1/4%), and the additional one-quarter of one percent (1/4%) of local Sales and Compensating Use Tax [for a total of two and one-half percent (2 1/2%)], to August 31, 2017. The latter one-quarter of one percent (1/4%) of Sales and Compensating Use Tax shall be paid into the contingency and tax stabilization reserve fund of the City and shall be subject to all of the limitations and other provisions of Section 6-e of the General Municipal Law.

Approval of this State legislation is critical to the City's continuing stable financial condition and is necessary for the City to provide a high level of service to the community.

Thomas M. Roach
Mayor

Dated: January 14, 2015
(For the Common Council Meeting
of February 2, 2015)

RESOLUTION AUTHORIZING THE CERTIFICATION OF A HOME
RULE REQUEST SEEKING ENACTMENT OF STATE LEGISLATION
AMENDING SECTION 1210 OF THE TAX LAW TO EXTEND THE SUNSET
PROVISION IN RELATION TO THE LOCAL SALES TAX RETAINED BY THE
CITY OF WHITE PLAINS (ASSEMBLY BILL NO. A00222) (SENATE BILL
NO. S00723).

WHEREAS, until 1993, the City of White Plains had a local sales tax rate of three percent (3%); and

WHEREAS, prior to 1982, the City of White Plains retained two percent (2%) of the three percent (3%) local sales tax rate; and

WHEREAS, in 1982, the County of Westchester preempted one-half percent ($\frac{1}{2}\%$) that had been retained by the City of White Plains, thereby dividing the local sales tax rate in half, with the City of White Plains and the County of Westchester each receiving one and one-half percent ($1\frac{1}{2}\%$); and

WHEREAS, between 1982 and 1993, the City of White Plains received one and one-half percent ($1\frac{1}{2}\%$) of the local sales tax as opposed to the two percent (2%) that it received prior to 1982 and during that time period, the property tax rate increased by over ninety percent (90%); and

WHEREAS, the Common Council of the City of White Plains did pass resolutions in 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011 and 2013, requesting the introduction of an amendment to the Tax Law to increase by one-half of one percent ($\frac{1}{2}\%$) the local

sales tax retained by the City of White Plains so as to restore to the City that which it was receiving prior to 1982, without diminishing the revenue retained by the County of Westchester; and

WHEREAS, the requested legislation for the one-half of one percent ($\frac{1}{2}\%$) increase was enacted as Chapter 72 of the Laws of 1993, Chapter 63 of the Laws of 1995, Chapter 82 of the Laws of 1997, Chapter 39 of the Laws of 1999, Chapter 39 of the Laws of 2001, Chapter 30 of the Laws of 2003, Chapter 19 of the Laws of 2005, Chapter 19 of the Laws of 2007, Chapter 37 of the Laws of 2009, Chapter 30 of the Laws of 2011, and Chapter 44 of the Laws of 2013, respectively; and

WHEREAS, the Common Council of the City of White Plains did pass a resolution in 2008 requesting the introduction by the New York State Senate and the New York State Assembly of an amendment to the Tax Law to increase by an additional one-quarter of one percent ($\frac{1}{4}\%$) the local sales tax retained by the City of White Plains; and

WHEREAS, the requested legislation for the additional one-quarter of one percent ($\frac{1}{4}\%$) increase was enacted as Chapter 65 of the Laws of 2008; and

WHEREAS, Chapter 19 of the Laws of 2007, and Chapter 65 of the Laws of 2008, respectively, contained a sunset provision whereby the ability of the City of White Plains to retain the additional one-half of one percent ($\frac{1}{2}\%$) and the additional one-quarter of one percent ($\frac{1}{4}\%$) of local sales tax ended as of August 31, 2009; and

WHEREAS, the Common Council of the City of White Plains did pass a resolution in 2009, requesting the introduction of an amendment to the Tax Law extending the sunset provisions, respectively, contained in Chapter 19 of the Laws of 2007, authorizing the City of White Plains to retain the additional one-half of one percent ($\frac{1}{2}\%$) local sales tax, and in Chapter 65 of the Laws of 2008, authorizing the City of White Plains to retain the additional one-quarter of one percent ($\frac{1}{4}\%$); and

WHEREAS, the requested legislation for the additional one-half of one percent ($\frac{1}{2}\%$) and one-quarter of one percent ($\frac{1}{4}\%$) increase was enacted as Chapter 37 of the Laws of 2009 ending August 31, 2011; and

WHEREAS, the Common Council of the City of White Plains did pass a resolution in 2010 requesting the introduction of an amendment to the Tax Law to increase by an additional one-quarter percent of one percent ($\frac{1}{4}\%$) of the local sales tax retained by the City of White Plains; and

WHEREAS, the aforementioned additional one-quarter percent ($\frac{1}{4}\%$) was required to be paid into the contingency and tax stabilization reserve fund of the City of White Plains, subject to all of the limitations and other provisions of Section 6-e of the General Municipal Law, to assist the city in replenishing its depleted fund balance; and

WHEREAS, the requested legislation for the additional one-quarter of one percent

(1/4%) increase was enacted as Chapter 74 of the Laws of 2010, ending August 31, 2011; and

WHEREAS, the Common Council of the City of White Plains did pass a resolution in 2011, requesting the introduction of an amendment to the Tax Law extending the sunset provisions, respectively, contained in Chapter 19 of the Laws of 2007, authorizing the City of White Plains to retain the additional one-half of one percent (½%) local sales tax, in Chapter 65 of the Laws of 2008, authorizing the City of White Plains to retain the additional one-quarter of one percent (1/4%), and in Chapter 74 of the Laws of 2010, authorizing the City of White Plains to retain an additional one-quarter of one percent (1/4%); and

WHEREAS, the requested legislation for the additional one-half of one percent (½%), one-quarter of one percent (1/4%) and one-quarter of one percent (1/4%) increase was enacted as Chapter 30 of the Laws of 2011, ending August 31, 2013; and

WHEREAS, the Common Council of the City of White Plains did pass a resolution in 2013, requesting the introduction of an amendment to the Tax Law extending the sunset provisions, respectively, contained in Chapter 30 of the Laws of 2011, authorizing the City of White Plains to retain the additional one-half of one percent (½%) local sales tax, authorizing the City of White Plains to retain the additional one-quarter of one percent (1/4%), and authorizing the City of White Plains to retain an additional one-quarter of one percent (1/4%); and

WHEREAS, the requested legislation for the additional one-half of one percent (½%),

one-quarter of one percent (1/4%) and one-quarter of one percent (1/4%) increase was enacted as Chapter 44 of the Laws of 2013, ending August 31, 2015; and

WHEREAS, with sales tax revenues representing over one-third (34%) of the City's total revenues, and with retail sales stagnant, the additional 1/2% increase in the City's original sales tax rate which the City has had renewed every two years by the State Legislature since the sales tax's inception in 1993; and the additional 1/4% originally authorized by Chapter 65 of the Laws of 2008, renewed in 2009, by Chapter 37 of the Laws of 2009 for an additional two year period ending August 31, 2011, renewed in 2011, by Chapter 30 for an additional two year period ending August 31, 2013, and renewed in 2013, by Chapter 44 of the Laws of 2013 for a period ending August 31, 2015; and the additional 1/4% of one percent authorized by Chapter 74 of the Laws of 2010, for a period ending August 31, 2011, renewed by Chapter 30 of the Laws of 2011, for an additional two year period ending August 31, 2013, and renewed by Chapter 44 of the Laws of 2013, for an additional two year period ending August 31, 2015, are critical to the City's ability to fund basic services; and

WHEREAS, the economic downturn has also negatively impacted other revenues such as property tax payments, mortgage tax payments, state aid to municipalities, and interest income; and

WHEREAS, the City must guarantee the property taxes of the White Plains School District which is presently approximately 149.5 million dollars and the County of Westchester which is approximately 36.7 million dollars; and

WHEREAS, the City's property tax levy only represents approximately 33% of its revenue base; and

WHEREAS, the City of White Plains continues to have a substantial number of small claims grievances and tax certiorari due to the economy; and

WHEREAS, the City of White Plains has reduced its workforce from 972 filled positions in fiscal year 2008 to 850 filled positions in the fiscal year 2014-2015 adopted budget, in order to limit expenditures; and

WHEREAS, based on the foregoing losses in revenue and increases in expenditures, expenditures would have exceeded revenues by unprecedented amounts absent the sales tax authorizations and are projected to do so in the City's current fiscal year; and

WHEREAS, the additional one-quarter percent (1/4%), authorized by Chapter 74 of the Laws of 2010, and renewed for two years until August 31, 2015, by Chapter 44 of the Laws of 2013, is required to be paid into the contingency and tax stabilization reserve fund of the City of White Plains, under Section 6-e of the General Municipal Law, has been instrumental in restoring the City's fund balance and maintaining an AA-1 credit rating; and

WHEREAS, the City of White Plains' current sales tax rate is consistent with the rates of other Westchester County cities, Yonkers, Mount Vernon and New Rochelle, the three other

Westchester cities that do not share in the County of Westchester's sales tax rate; and

WHEREAS, the City of White Plains has complied with the State property tax cap since its inception and desires to be able to continue that compliance; and

WHEREAS, the Common Council prudently applied \$5 million dollars from the City's Contingency and Tax Stabilization Fund to the adopted budget for the fiscal year ending June 30, 2015, which had the effect of lowering the required property tax increase from 11.7% to 2.3%; and

WHEREAS, the fiscal year 2014-15 budget adopted by the Common Council on May 19, 2014, would have required an additional 28 % tax increase absent the additional one-half percent (½%), additional one-quarter percent (1/4%) and additional one-quarter percent (1/4%) of local sales tax; and

WHEREAS, planning and preparation for the fiscal year 2015-16 budget is now underway; and

WHEREAS, the City is unable to prepare responsibly the fiscal year 2015-16 budget, as well as multi-year operating and planning, without knowing what the local sales tax rate will be; and

WHEREAS, legislation to extend the sunset provision from August 31, 2015 to August 31, 2017, was introduced on January 7, 2015, in the New York State Assembly (Assembly Bill No.

A00222) and on January 7, 2015, in the New York State Senate (Senate Bill No. S. 00723); and

WHEREAS, it is necessary for the City of White Plains to pass a Home Rule Request authorizing and instructing the New York State Assembly and Senate to proceed forward with the enactment and adoption of such legislation.

NOW, THEREFORE, the Common Council of the City of White Plains does hereby enact the following Resolution:

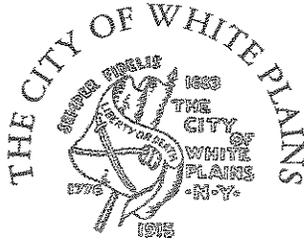
RESOLVED, that the City of White Plains requests the enactment of legislation as set forth in Assembly Bill No. A00222 entitled, "AN ACT to amend the tax law, in relation to extending the period during which the city of White Plains is authorized to impose an additional one-half of one percent, an additional one-quarter of one percent rate of sales and compensating use tax, and an additional one-quarter of one percent of sales and compensating use tax"; and as set forth in Senate Bill No. S00723 entitled, "AN ACT to amend the tax law, in relation to extending the period during which the city of White Plains is authorized to impose an additional one-half of one percent, an additional one-quarter of one percent rate of sales and compensating use tax, and an additional one-quarter of one percent rate of sales and compensating use tax;"and be it further

RESOLVED, that there be inserted in such request a statement reading substantially as follows:

It is hereby declared that a necessity exists for the enactment of such legislation and that the facts establishing such necessity are as follows:

The local government does not have the power to enact such legislation by local law:
and be it further

RESOLVED, that the City Clerk be and hereby is authorized to certify that the Common Council on the 2nd day of February of 2015, approved the foregoing request by at least a two-thirds vote of the total membership of the Common Council.



**"The Birthplace of the State of New York"
OFFICE OF THE MAYOR**

**THOMAS M. ROACH
MAYOR**

**t:914.422.1411
f:914.422.1395**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL

Attached for your consideration is a resolution authorizing the certification of a Home Rule request from the City of White Plains seeking the enactment of special New York State legislation amending Article 18-A of the General Municipal Law of the State of New York in relation to establishing a City of White Plains Industrial Development Agency. The Assembly Bill A01469, which was introduced on January 12, 2015, and the Senate Bill S02320, which was introduced on January 22, 2015, proposes to accomplish the creation of such Agency.

Thomas M. Roach
Mayor

Dated: January 28, 2015
(for the Common Council
meeting of February 2, 2015)

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE CERTIFICATION OF A HOME RULE REQUEST SEEKING ENACTMENT OF STATE LEGISLATION AMENDING THE GENERAL MUNICIPAL LAW TO ESTABLISH THE WHITE PLAINS INDUSTRIAL DEVELOPMENT AGENCY (ASSEMBLY BILL NO. A01469) (SENATE BILL NO. S02320).

WHEREAS, the New York State Industrial Development Agency Act, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, authorizes and provides for the creation of industrial development agencies in the several counties, cities, villages and towns in the State of New York; and

WHEREAS, the aforementioned legislation empowers such agencies, *inter alia*, to acquire, construct, reconstruct, lease, improve, maintain, equip and furnish land, any building or other improvement, and all real and personal properties, including but not limited to, machinery and equipment, deemed necessary in connection therewith, whether or not in existence or under construction, which shall be suitable for manufacturing, warehousing, research, commercial, industrial or civic purposes, to the end that such agencies may be able to promote, develop, encourage, assist and advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York and to improve their prosperity and standard of living; and

WHEREAS, a number of municipalities throughout New York State, including the County of Westchester, City of Yonkers, City of Mount Vernon, City of New Rochelle, City of Peekskill, Town of Yorktown, Town of Mount Pleasant, Town of Ossining, Village of Port Chester,

Village of Hastings-on-Hudson, Village of Buchanan, and the Village of Ossining, have sought and have been granted by special act of the State Legislature, the authority to establish an industrial development agency to accomplish any or all of the purposes set forth in the New York State Industrial Development Agency Act; and

WHEREAS, in the interest of promoting and maintaining job opportunities, health, general prosperity and the economic welfare and benefit of the citizens of the City of White Plains and the State of New York and improve their standard of living and to bolster commerce and industry in the City of White Plains, the City of White Plains seeks enactment of State Legislation to establish an industrial development agency to be known as the City of White Plains Industrial Development Agency; and

WHEREAS, under the proposed legislation, members of the City of White Plains Industrial Development Agency shall be appointed by the Mayor, subject to confirmation by the Common Council, and shall serve at the pleasure of the Mayor; and

WHEREAS, the proposed legislation also provides that members of the City of White Plains Industrial Development Agency shall have all of the powers and duties now or hereafter conferred by Title I of the New York State Industrial Development Agency Act, except that the Agency's power of condemnation shall not be exercised without prior approval of the Common Council, and provided that the exercise of the powers by such Agency with respect to the acquisition of real property, whether by purchase, condemnation, or otherwise, shall be limited to the corporate

limits of the City of White Plains, and such Agency shall take into consideration the local zoning and planning regulations as well as the regional and local comprehensive land use plans; and

WHEREAS, legislation to amend the General Municipal Law to establish a White Plains Industrial Development Agency was introduced on January 12, 2015, in the New York State Assembly (Assembly Bill No. A01469) and on January 22, 2015, in the New York State Senate (Senate Bill No S02320); and

WHEREAS, it is necessary for the City of White Plains to pass a Home Rule Request authorizing and instructing the New York State Assembly and the New York State Senate to proceed forward with enactment and adoption of such legislation.

NOW, THEREFORE, the Common Council of the City of White Plains does hereby enact the following Resolution:

RESOLVED, that the City of White Plains requests the enactment of legislation set forth in Assembly Bill No. A01469 entitled, "AN ACT to amend the general municipal law, in relation to the establishment of the White Plains industrial development agency;" and as set forth in Senate Bill No. S02320 entitled, "AN ACT to amend the general municipal law, in relation to the establishment of the White Plains industrial development agency;" and be it further

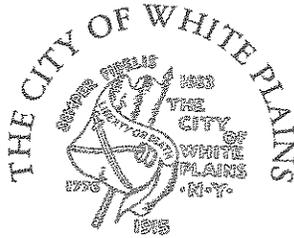
RESOLVED, that there be inserted in such request a statement reading substantially

as follows:

The local government does not have the power to enact such legislation by local law;

and be it further

RESOLVED, that the City Clerk be and hereby is authorized to certify that the Common Council on the 2nd day of February 2015, approved the foregoing request by at least a two-thirds vote of the total membership of the Common Council.



OFFICE OF THE CITY CLERK
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
(914) 422-1227 • (914) 422-1330 Fax

Anne M. McPherson CMC
City Clerk/Registrar

Elizabeth Scardino
Deputy Registrar

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Charter of The City of White Plains requires that an official newspaper be designated which would be used to publish legal notices of the City or any board, commission or agency, at a price not to exceed that set forth by Public Officers Law Section 70-a. Such designation requires that the paper be published daily.

It is requested that the Common Council, by approving the following resolution, designate The Journal News as the official newspaper of The City of White Plains for the Calendar Year 2015


Anne M. McPherson, CMC
City Clerk

DATED: January 15, 2015

**RESOLUTION DESIGNATING THE JOURNAL NEWS
AS THE OFFICIAL NEWSPAPER OF THE
CITY OF WHITE PLAINS FOR THE
PURPOSE OF PUBLIC NOTICES.**

WHEREAS, the Journal News, a daily newspaper published in the Town of Harrison, New York, has submitted an offer dated January 7, 2015, to print all legal notices of the City, the Common Council, or any boards, commissions or agencies of the City, as may be by law required to be published and all demands and legal notices of said City, Common Council, board, commission, or agency thereof required to be published for the price set forth in said offer; and

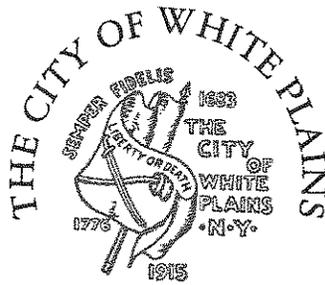
WHEREAS, there is no daily newspaper published in The City of White Plains; and

WHEREAS, the Journal News is generally circulated in The City of White Plains and has a paid circulation therein well suited to bring official notices to the attention of the residents and business enterprises in The City of White Plains; and

WHEREAS, the amount set forth in said offer dated January 7, 2015, is not in excess of the fees as allowed by Public Officers Law Section 70-a; now, therefore, be it

RESOLVED, that the Journal News be and it hereby is designated as the official newspaper of The City of White Plains for the Calendar Year 2015.

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DEPARTMENT OF BUILDING

70 Church Street, White Plains, New York 10601
Phone: (914) 422 - 1269 • Fax (914) 422 - 1471

Damon A. Amadio, P.E.
Commissioner

Kevin M. Hodapp, P.E.
Deputy Commissioner

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON
COUNCIL OF THE CITY OF WHITE PLAINS

Submitted, herewith, for your review and appropriate action, are proposed amendments to the City of White Plains Zoning Ordinance and The City of White Plains Municipal Code associated with "cabarets."

As outlined in our moratorium referral letter of May 23, 2014, the current City of White Plains regulations associated with "cabarets" do not address the emergence of facilities predominately providing entertainment and serving alcoholic beverages. Since this type of business model may impact public safety the intent is to update the Zoning Ordinance and Municipal Code to better protect and preserve the safety and welfare of the public and those who work, patronize, visit, or conduct business with "cabarets."

In general, the amendments consist of the following:

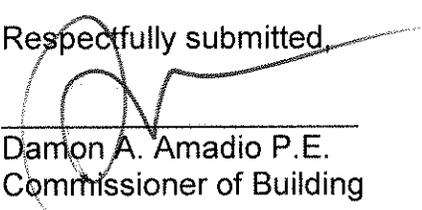
1. An amendment to the zoning ordinance to create two 'cabaret' classes. A "primary cabaret" and "accessory cabaret" which are distinguished by the area of the business dedicated to entertainment uses as opposed to restaurant use when the "cabaret" is in operation. Each class will have unique standards.
2. An Amendment to the municipal code, which provisions were largely adopted in the 1920s, to codify the standard conditions historically imposed by the Council in "cabaret" special permit resolutions. Adding the provisions to the municipal code will simplify the review process

and enhance enforcement. Violations can be prosecuted in City court and repeat violators may have the special permit revoked or suspended.

In short, these amendments will improve public safety as well as simplify and streamline the application for and operation of "cabarets."

Referrals to the appropriate boards and commissions may be made at this time.

Respectfully submitted,



Damon A. Amadio P.E.
Commissioner of Building

Dated: January 23, 2015

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED
“THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS”
WITH RESPECT TO SPECIAL PERMIT USES IN NON-
RESIDENTIAL DISTRICTS, REVISING THE DEFINITION OF
“CABARET” AND ADDING THE DEFINITION OF “PRIMARY
CABARET” AND “ACCESSORY CABARET”.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Zoning Ordinance of the City of White Plains, as adopted June 1, 1981 and as amended to date, be and it hereby is amended to revise the provisions regulating “cabarets” as follows:

- A. Section 2.4 Definitions.
is hereby amended in its entirety to read as follows:

“Cabaret”

Any room, space or area used in connection with a business enterprise, in which musical entertainment, singing, dancing or other form of amusement by performers and/or by patrons (“Entertainment”) is allowed. A “cabaret” is only permitted in connection with a “restaurant.” However, the following shall not constitute a “cabaret”:

A “restaurant” or “bar” located in a “hotel” having more than 50 sleeping rooms; or
A “restaurant” or “café” that provides incidental Entertainment, without dancing,
either by:

- electrical devices such as, but not limited to stereos, radios or media players, but not including music provided by a disc jockey;
- not more than four (4) persons playing non-amplified music; or
- a person with or without a portable low-wattage amplifier associated with a single instrument or microphone.

“Cabaret, Accessory”

A “cabaret” in which the Entertainment and/or dancing do not, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a “restaurant.”

“Cabaret, Primary”

A “cabaret” in which the Entertainment and/or dancing, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a “restaurant.”

“Net Floor Area”

The floor area of a premises open to the public excluding bathroom facilities.

“Restaurant”

A business enterprise primarily engaged in preparing, cooking, and serving food and beverages on premises; selected from a full menu by patrons seated at a table or counter;

served by a waiter or waitress; and consumed on the premises. See also "Cafeteria," "Cabaret," and "Fast Food Eating Establishment."

B. Section 5.1, Schedule of "Use" Regulations: Non-Residential, is hereby amended by adding the word "Accessory" before "Cabaret" and adding a column under "Accessory Cabaret" labeled "Primary Cabaret" as shown on the attached Schedule.

C. Section 6.2.1.16 "Cabarets" is hereby amended to read "Primary and Accessory Cabarets."

D. Section 6.7.8 Outdoor Dining, is hereby amended to read as follows:

6.7.8.1 Outdoor "cabarets," ~~outdoor dining in conjunction with a "cabaret"~~ and outdoor dining in conjunction with "fast food eating establishments" are specifically prohibited.

E. Section 6.7.10 "Cabarets" is hereby amended to read as follows:

6.7.10.1 Each applicant shall submit floor plan(s) prepared and signed/sealed by a New York State Design Professional in accordance with the following:

6.7.10.1.1 The plans shall be drawn to scale, be legible and be no smaller than 11x17;

6.7.10.1.2 Indicate the area for any proposed dance floor including the square footage;

6.7.10.1.3 Indicate the area for any proposed DJ, band or entertainer including the square footage;

6.7.10.1.4 Indicate all tables and seating (permanent or fixed);

6.7.10.1.5 Indicate the code required egress paths through the space to each legal exit. The egress paths shall not traverse areas identified for Entertainment purposes. The paths shall be clearly identified by shading or cross hatching on the plan(s);

6.7.10.1.6 Provide occupancy calculations for the restaurant configuration and cabaret configuration. Egress path square footage shall be excluded when calculating occupancy. Any proposed occupancy of 300 persons will require a smoke purge system in accordance with the White Plains Building Code; and

6.7.10.1.7 The temporary storage of tables and/or seating shall be identified on the plan(s) if the creation of a "cabaret" requires the relocation of these items.

6.7.10.2 “Cabarets” shall not be located within 150 feet of any residential district, nor within 200 feet of any “lot line” of a place of worship, hospital, “domiciliary care facility” or “community residence,” nor shall any “primary cabaret” be located within 300 feet of any “dwelling unit.”

6.7.10.3 “Cabarets” shall only be located at grade level.

6.7.10.4 The special permit may be renewed by the Commissioner of Building in accordance with Section 6.6.5, provided that the Commissioner shall have the authority to decline the renewal based on any violation of this section 6.7.10, the Municipal Code Title IV, Chapter 4-4, or of any conditions set forth in the special permit resolution adopted by the Common Council.

6.7.10.5 A special permit to operate a “cabaret” may be suspended or revoked after a hearing, with at least five days notice to the special permit holder, held by the Commissioner of Building, the Chief of Fire and the Chief of Police, or their duly appointed representative, whereby it is determined that there was a violation of; this section 6.7.10; the Municipal Code Title IV, Chapter 4-4; any conditions set forth in the special permit resolution; or that the operation of the “cabaret” poses a detriment to the health, safety and welfare of the neighborhood or community.

§ 2. This Ordinance shall take effect immediately.

Section 5.1 Schedule of "Use" Regulations: Non-Residential

"Uses"	C-O	O-R	B-1	B-2	B-3	BR-1	BR-2	CB-1	CB-2	CB-3	CB-4	UR-4	B-6	LI
"Primary Cabaret"								SP	SP	SP	SP	SP		SP

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS
AMENDING TITLE IV OF THE WHITE PLAINS MUNICIPAL CODE ENTITLED "CABARETS"
BY AMENDING ARTICLE I OF CHAPTER 4-4 IN ITS ENTIRETY AND AMENDING SECTION
4-4-30 OF ARTICLE II OF CHAPTER 4-4.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. Article I of Title IV, Chapter 4-4, of the White Plains Municipal Code, last amended by ordinance adopted February 6, 2006, is hereby amended, in its entirety, as follows:

A. Sec. 4-4-1. Purpose and Construction.

This chapter shall be deemed an exercise of the police power of the state and of the city for the protection of the economic and social welfare, health, peace and morals of the people of the city and all its provisions shall be liberally construed for the accomplishment of that purpose.

B. Sec. 4-4-2 Definition.

Cabaret: Any room, space or area used in connection with a business enterprise, in which musical entertainment, singing, dancing or other form of amusement by performers and/or by patrons ("Entertainment") is allowed. A "cabaret" is only permitted in connection with a "restaurant." However, the following shall not constitute a cabaret:

A restaurant or bar located in a hotel having more than 50 sleeping rooms; or

A restaurant or café that provides incidental Entertainment, without dancing, either by:

- electrical devices such as, but not limited to stereos, radios or media players, but not including music provided by a disc jockey; or
- not more than four (4) persons playing non-amplified music; or
- a person with or without a portable low-wattage amplifier associated with a single instrument or microphone.

Accessory Cabaret: A "cabaret" in which the Entertainment and/or dancing do not, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a "restaurant."

Primary Cabaret: A "cabaret" in which the Entertainment and/or dancing, in the aggregate, occupy more than 40% of the Net Floor Area of the principal business of a "restaurant."

Restaurant: a "restaurant" is a business enterprise primarily engaged in preparing, cooking, and serving food and beverages on premises; selected from a full menu by patrons seated at a table or counter; served by a waiter or waitress; and consumed on the premises.

C. Sec. 4-4-3. Operating hours.

It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any cabaret to operate a cabaret on any day between the hours of 1:01 a.m. and 11:59 a.m., however the facility may continue to operate as a restaurant after those hours.

D. Sec. 4-4-4. Intoxicating Liquors.

It shall be unlawful for any person to bring into or have in his or her possession or partake of any intoxicating liquors in any cabaret. This section shall not apply to cabarets where intoxicating liquors may be lawfully sold under the provisions of the Alcoholic Beverage Control Law.

E. Sec. 4-4-5. Nudity.

No person shall be permitted to appear in any cabaret with the chest or breasts fully exposed or any portion of the genitals exposed.

F. Sec. 4-4-6. Sound Amplification. It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any cabaret to operate a cabaret in violation of the following:

(a) Sound Level. The sound level of either live or recorded music or other attendant noise as measured from the exterior of the cabaret premises shall not exceed a range from 80 to 85 decibels (dB) at any time as measured at a reasonable distance not less than seven (7) nor more than fifteen (15) feet from the premises of the cabaret establishment. A noise level evaluation of the operation of the cabaret use, paid for by the Applicant or owner, shall be conducted by the Department of Building every three (3) months of operation of the cabaret use, with the results to be submitted to the Common Council within two (2) weeks of said evaluation and made available to the public.

(b) Sound Amplification Equipment. No Sound Amplification Equipment (speakers, amplifiers, audio systems, radios, televisions, or any other device that can produce or reproduce sound) shall be installed or operated indoors with the intent to amplify the sound outdoors and/or within any temporary structures(s).

(c) Sound Amplification Shut-Off. Whenever the building or space fire alarm system is activated all Sound Amplification Equipment within the cabaret shall be shut off. Sound Amplification Equipment shall mean speakers, amplifiers, audio systems, radios, televisions, or any device that can produce or reproduce sound.

(d) Reduction of Sound Transmission. In an effort to reduce sound transmission, all doors related to the cabaret use, including those from the street, shall be equipped with automatic self-closers, remain closed during operation of the cabaret use and shall not be permitted to be propped open at any time. Doors may be used for ingress and egress only and must be sealed tightly when closed. In addition, unless technically

infeasible, all new cabarets shall incorporate an interior vestibule at the entrance to the room, space or area where the cabaret is proposed.

G. Sec. 4-4-7 Food Service. It shall be unlawful for an owner, operator, proprietor, manager or person in charge of any cabaret to operate a cabaret without food service available from a printed menu.

H. Sec. 4-4-8. Entry Fee. It shall be unlawful for an owner, operator, proprietor, manager or person in charge of an accessory cabaret to charge an entry fee payable at or prior to admission. However this shall not prohibit a fixed charge or fee for entertainment or service added to a bill for patrons with reserved table seating.

I. Sec. 4-4-9. Entry Powers of Police Officers and Housing/Building Inspectors. It shall be unlawful for the owner, proprietor, manager or person in charge of any cabaret or restaurant to refuse admission or entry to the public areas of the cabaret or restaurant during operating hours to any officer charged with enforcing the penal laws of New York State, the New York State Building Code, the White Plains Supplemental Building Code or the City of White Plains Municipal Code.

J. Sec. 4-4-10. Temporary Closure. If in the opinion of the Commissioner of Public Safety, or the Commissioner's designee, an owner, proprietor, manager or person in charge of any cabaret, creates, maintains or permits a condition that endangers or threatens to endanger the safety or health of the public, the Commissioner, or designee, may order the immediate temporary closure of the cabaret. It shall be unlawful for an owner, proprietor, manager or person in charge of any cabaret, to fail to comply with such order.

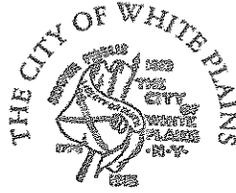
K. Sec. 4-4-11. Penalty. A violation of any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine not to exceed two thousand five dollars (\$2,500.00) for each offense or by imprisonment for each offense for a period of not exceeding fifteen (15) days, or by both such fine and imprisonment.

Section 2. Article II of Title IV, Chapter 4-4, of the White Plains Municipal Code, last amended by ordinance adopted February 6, 2006, is hereby amended, as follows:

Sec. 4-4-30. Fee, expiration and transfer.

The annual fee for a cabaret license shall be ~~one~~five hundred dollars (~~\$1~~500.00); provided that in the event a license be granted after July first of any year the license fee shall be one-half the amount of the annual license fee. The commissioner of public safety shall not issue a cabaret license until the applicant has paid such fee to the city. All such licenses shall expire on December 31 next following their issue. Such license shall not be transferable and shall not authorize the person to whom it is granted to conduct a cabaret at any location other than that specified therein.

Section 3. This ordinance shall take effect immediately.



DEPARTMENT OF BUDGET

MUNICIPAL BUILDING – 255 MAIN STREET – WHITE PLAINS, NEW YORK 10601

TEL: (914) 422-1364 – Fax: (914) 422-1440

THOMAS M. ROACH
MAYOR

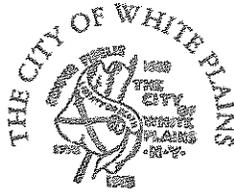
MICHAEL A. GENITO
BUDGET DIRECTOR

To the Honorable Mayor and Members of the Common Council of the City of White Plains:

Submitted herewith is the Capital Improvement Program Status Report for the six months ended December 31, 2014.


Michael A. Genito
Budget Director

Dated: January 20, 2015
(For the Common Council meeting of February 2, 2015)



DEPARTMENT OF FINANCE
MUNICIPAL BUILDING – 255 MAIN STREET – WHITE PLAINS, NEW YORK 10601

TEL: (914) 422-1235 – Fax: (914) 422-1273

THOMAS M. ROACH
MAYOR

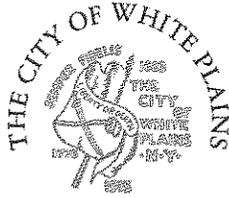
MICHAEL A. GENITO
COMMISSIONER OF FINANCE
CAROL ENDRES
DEPUTY COMMISSIONER

To the Honorable Mayor and Members of the Common Council of the City of White Plains:

Submitted herewith is the unaudited interim financial report for the six months ended December 31, 2014

Michael A. Genito
Commissioner of Finance

Dated: January 13, 2015
(For the Common Council meeting of February 2, 2015)



THE CITY OF WHITE PLAINS
Capital Projects Board
MUNICIPAL BUILDING
255 Main Street • White Plains, New York 10601

THOMAS M. ROACH
Mayor

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS

I am pleased to submit the City's Capital Improvement Program for Fiscal Year 2015-2016 and the succeeding five years as approved by the Capital Projects Board.

The Capital Improvement Program is a planning document that sets forth the City's capital fiscal plan to ensure that municipal infrastructure and facilities serve the needs of the people and are adequate, appropriate and maintained in good condition. The Capital Improvement Program is not an adopted capital budget for the City, but by Charter, this planning document is used by the Budget Director and the Mayor and Common Council in developing the City's operating budget. Each capital project to be undertaken by the City must be approved individually and have a budget established by the Common Council before work begins.

The Capital Improvement Program for fiscal year 2015-2016 recommends total expenditures of \$17.0 million to fund various capital projects and rolling stock purchases. Of this \$18.5 million, \$15.7 million is being recommended for capital improvements; \$2.7 million for the purchase of rolling stock; and \$0.1 million for debt issuance costs.

I extend my sincere thanks to the members of the Capital Projects Board for their efforts in developing the new plan which sets forth the future capital initiatives recommended for the City.

Thomas M. Roach, Mayor
Chairman

Dated: February 2, 2015