



**COMMON COUNCIL  
AGENDA  
REGULAR STATED MEETING  
FEBRUARY 6, 2017  
7:30 P.M.**

**PLEDGE TO THE FLAG:** Hon. Beth Smayda

**ROLL CALL:** City Clerk

**APPOINTMENT:**

1. Communication from the Mayor in relation to the appointment of Dr. Gregory Smith as a Member of the White Plains Housing Authority to a term which will expire on December 26, 2019. **F/S/A**

**ADJOURNED**

**PUBLIC HEARING:**

2. Public Hearing in relation to proposed de-mapping and sale of a 4,522 parcel of City owned land by One DeKalb LLC in relation to the application for Special Permit in accordance with Section 5.3, Footnote (t) of the Zoning Ordinance of the City of White Plains ("Zoning Ordinance"), to construct a six (6) story (65 foot) 77 unit apartment building, including 103 parking spaces at One DeKalb Avenue (Section 125, Block 84, Lots 1,2,3,16 and 17), located within the RM-1 Zoning District. **OPENED/CLOSED**
3. Public Hearing in relation to the application submitted on behalf of One DeKalb LLC ("Applicant"), the owner of One DeKalb Avenue, for approval of a Special Permit in accordance with Section 5.3, Footnote (t) of the Zoning Ordinance of the City of White Plains ("Zoning Ordinance"), to construct a six (6) story (65 foot) 77 unit apartment building, including 103 parking spaces at One DeKalb Avenue (Section 125, Block 84, Lots 1,2,3,16 and 17), located within the RM-1 Zoning District, and the proposed discontinuance of a 4,522 sq. ft. portion of Maple Avenue in the City of White Plains. **OPENED/CLOSED**

4. Communication from the Environmental Officer in relation to discontinuance and sale of a portion of Maple Avenue ,and Special Permit and Site Plan approvals to construct a multi-family residential building at 1 DeKalb Avenue on behalf of One DeKalb LLC. **F/S**
5. Environmental Findings Resolution **ADOPTED**
6. Communication from Corporation Counsel in relation to the discontinuance of a portion fo Maple Avenue, in the City of White Plains and authorizing the sale to the adjacent owner. **F/S**
7. Ordinance of the Common Council of the City of White Plains discontinuing a portion of Maple Avenue, in the City of White Plains and authorizing the sale to the adjacent owner. **ADOPTED 7 - 0**

**ITEMS 8 - 17 F/S**

8. Communications from Commissioner of Building
9. Design Review Board
10. Planning Board
11. Commissioner of Public Safety
12. Commissioner of Public Works
13. Deputy Commissioner, Traffic Division
14. Transportation Commission
15. Commissioner of Parking
16. Westchester County Planning Board
17. City Clerk
18. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of One DeKalb LLC, (“Applicant”), for Special Permit for additional height pursuant to Section 5.3 Footnote (t) of the Zoning Ordinance and site plan approval for a 69 foot/six story with four (4) foot cornice, seventy seven (77) unit residential project with additional density and n16 affordable dwelling units (20%) pursuant to Section 5.3 Footnote (s) of the Zoning Ordinance, on a 38,364 square foot parcel owned by One DeKalb LLC and a 4,522 square foot parcel of adjacent surplus right-of-way for Maple Avenue acquired by One DeKalb LLC from the City of White Plains, such residential project to be located at 1 DeKalb Avenue on the southeast side of Maple Avenue between South Broadway and DeKalb Avenue, with over 20% of the site being publicly accessible and privately maintained and landscaped open space pursuant to Section4.4.19.4 of the Zoning Ordinance and the City’s Open Space and Parkland Requirements. **ADOPTED**

**PUBLIC HEARINGS:**

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

**ITEMS 20 - 30 F/S**

- 20. Communications from Commissioner of Building
- 21. Design Review Board
- 22. Commissioner of Planning
- 23. Planning Board
- 24. Commissioner of Public Safety
- 25. Commissioner of Public Works
- 26. Deputy Commissioner, Traffic Division
- 27. Transportation Commission
- 28. Commissioner of Parking
- 29. Westchester County Planning Board
- 30. Environmental Officer

31. Environmental Findings Resolution **ADOPTED**

32. Resolution of the Common Council of the City of White Plains approving the Special Permit/Site Plan Application submitted on behalf of Danone Foods, Inc., and the Dannon Company, Inc., (Collectively “Dannon” or “Applicant”) for an office use of approximately 109,000 square feet with approximately 20,276 square feet on the first level, including an approximately 12,000 square foot Special Permit Accessory Food Laboratory and employee cafeteria with an approximately 4,800 square foot mezzanine and 8,276 square feet of office use, and approximately 47,616 square feet of renovated office space, and approximately 15,124 square feet of new construction office space on the fourth level with approximately 21,7778 square feet of office use mezzanine in the mixed use retail/office premises known as 100 Bloomingdale Road (also known as 1 Maple Avenue), located at 100 Bloomingdale Road in the B-1 Zoning District. **ADOPTED**

**FIRST READING**

**ORDINANCES:**

- 33. Communication from Corporation Counsel in relation to certain tax review proceedings. **F/S**
- 34. Ordinance authorizing the settlement of certain tax review proceedings. **ADOPTED 7 - 0**
- 35. Communication from Corporation Counsel in relation to an amendment to the Pilot Agreement for the Kensico Terrace Project which would lower the fixed Pilot Assessment for the remaining 2017-2022 assessment years. **F/S**
- 36. Ordinance consenting to the amendment of the Pilot Agreement for Kensico Terrace LLC, with respect to 24 South Kensico Avenue, Section 126.53, Block 3, Lot 1, upon certain conditions. **ADOPTED 7 - 0**
- 37. Communication from Corporation Counsel in relation to an application made by Crown

Atlantic Company LLC, in behalf of AT&T Mobility to install an emergency generator on property owned by the City. **F/S**

38. Ordinance approving the application made by Crown Atlantic Company LLC, on behalf of AT&T Mobility to install an emergency generator and related equipment at the existing communications facility of Crown located on certain real property owned by the City of White Plains pursuant to Section 12 of a certain Lease Agreement dated May 11, 1995, between the City of White Plains and New York SMSA Limited Partnership as amended. **ADOPTED 7 - 0**
39. Communication from the Mayor in relation to a Stipulation of Agreement between the City of White Plains and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO for the City of White Plains Unit. **F/S**
40. Ordinance approving and ratifying the Stipulation of Agreement entered into January 13, 2017, between the representatives of the City of White Plains and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO for the City of White Plains Unit, authorizing the Mayor to direct the Budget Director to make the necessary transfers from the Reserves for Financing to fund the increased payments under the Agreement, authorizing the Mayor to direct the Commissioner of Finance to start payments under the Agreement, and authorizing the Mayor to enter into a Collective Bargaining containing the terms of the January 13, 2017 Agreement. **ADOPTED 7 - 0**
41. Communication from Commissioner of Finance in relation to the issuance of refunding serial bonds in order save approximately \$1.4 million in debt service costs. **F/S**
42. Bond Ordinance, dated January 30, 2017, authorizing the issuance of refunding serial bonds of the City of White Plains, State of New York, pursuant to Section 90.10 of the Local Finance Law of the State of New York, providing for other matters and making certain determinations in relation thereto and providing for the payment of the bonds to be refunded thereby. **ADOPTED 7 - 0**
43. Communication from Commissioner of Planning in relation to a Community Development Special Rehabilitation Loan to the YWCA of White Plains and Central Westchester located at 515 North Street, to be used for health and safety improvements including shoring the pool deck and modifying the railing in the main staircase. **F/S**
44. Ordinance authorizing a Community Development Special Rehabilitation Loan not to exceed \$70,000, to the YWCA of White Plains and Central Westchester, 515 North Street. **ADOPTED 7 - 0**
45. Communication from Commissioner of Planning in relation to a Community Development Special Rehabilitation Loan to Family Services of Westchester, Center for All Ages, located at 106 North Broadway, to be used to replace a roof top heating and

ventilation unit. **F/S**

46. Ordinance authorizing a Community Development Special Rehabilitation Loan not to exceed \$30,000, to Family Services of Westchester, Center for All Ages, 106 North Broadway. **ADOPTED 7 - 0**
47. Communication from Commissioner of Planning in relation to an increase in the Administrative Charges on owners of housing subject to regulation under the Emergency Tenant Protection Act of 1974. **F/S**
48. Ordinance amending an ordinance imposing Administrative Charges on owners of housing subject to regulation under the Emergency Tenant Protection Act of 1974, as amended. **ADOPTED 7 - 0**
49. Communication from Deputy Commissioner of Recreation and Parks in relation to an agreement between the City and Arluck Promotions to retain the services of Olympian Swimmer Roy Burch as a featured guest with the City sponsored Jump In and Swim Program. **F/S**
50. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into an agreement with Arluck Promotions, Inc., retaining the professional consulting services of U.S. Olympian Athlete Roy Burch, to appear as a featured guest at various swim programs offered in connection with the City sponsored Jump In and Swim Program, from March 23-25, 2017. **ADOPTED 7 - 0**
51. Communication from Commissioner of Recreation and Parks in transmitting the Schedule of User Fees for the Department effective March 1, 2017. **F/S**
52. 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**
53. Communication from Director, Youth Bureau, in relation to a donation from Kent Warner in the amount of \$6,500 in support of the My Brother's Keeper 5 Steps to Five Program. **F/S**
  - Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to accept a contribution from Kent Warner to the White Plains Youth Bureau of \$6,500 to support the Youth Bureau's new initiative, My Brother's Keeper, the 5 Steps to Five Program, for the period January 1, 2017 to December 31, 2017, and authorizing the Mayor to direct to Budget Director to amend the Youth Development Fund accordingly. **ADOPTED 7 - 0**
54. Communication from Director, Youth Bureau, in relation to additional funding from the

Westchester/Putnam Workforce Investment Board to support the Youth Employment Services to In School and Out of School Youth Program. **F/S**

55. Ordinance of the Common Council of the City of White Plains amending an ordinance adopted July 5, 2016, by the Common Council of the City of White Plains by increasing the White Plains Youth Bureau's WIOA Budget by \$10,234, by carrying over funds from Fiscal Year 2015/16, and receiving additional Westchester County Funds of \$11,264, for Fiscal Year 2016/17, to support Youth Employment Services to In School and Out of School Youth Program. **ADOPTED 7 - 0**
56. Communication from Director, Youth Bureau, in relation to funding from the New York State Office of Alcoholism and Substance Abuse Services in support of the Project Hope Program. **F/S**
57. Ordinance amending an ordinance of the Common Council of the City of White Plains authorizing the Mayor to enter into a contract with the County of Westchester, Department of Community Mental Health, in order to receive \$184,030 in funding to continue the Project Hope Program through the New York State Office of Alcoholism and Substance Abuse Services (OASAS), providing alcohol and substance prevention services to the City of White Plains. **ADOPTED 7 - 0**
58. Communication from Chairman, Transportation Commission, in relation to amendment to the Traffic Ordinance at various locations around the City. **F/S**
59. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to modifying Traffic Control Signals at the Intersection of Mamaroneck Avenue at Hunting Ridge Road. **ADOPTED 7 - 0**

#### **RESOLUTIONS:**

60. Communication from the Mayor in relation to the Certification of a Home Rule Request seeking enactment of State Legislation to establish a City of White Plains Industrial Development Agency. **F/S**
61. 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. A.00295) (Senate Bill No. S.01958). **ADOPTED**
62. Communication from the Mayor in relation to the Certification of a Home Rule Request seeking enactment of State Legislation to extend the Sunset Provision regarding the Local Sales Tax retained by the City of White Plains. **F/S**

63. 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. A.02930) (Senate Bill No. S.02961). **ADOPTED**
64. Communication from the Environmental Officer in relation to the Common Council declaring itself as Lead Agency for the environmental review of proposed amendments to the Zoning Ordinance to create a new Planned Residential Development District affecting real property known as 52 North Broadway and requiring the preparation of a Draft Environmental Impact Statement (DEIS) and scheduling a session regarding the Draft Scoping Outline. **F/S**
65. Resolution of the White Plains Common Council designating itself as Lead Agency for the environmental review of proposed amendments to the Zoning Ordinance to create a new Planned Residential Development District affecting real property known as 52 North Broadway on behalf of WP Development NB, LLC, requiring the preparation of a Draft Environmental Impact Statement (DEIS) and scheduling a session regarding the Draft Scoping Outline. **ADOPTED**
66. Communication from Commissioner of Recreation and Parks in relation to an agreement between the City and Bensidoun USA Inc., to operate a Farmers Market. **F/S**
67. Resolution of the Common Council of the City of White Plains authorizing the Mayor to enter into a non-exclusive license agreement between the City of White Plains and Bensidoun USA, Inc., for the purpose of operating a Farmers Market on Real Property owned by the City. **ADOPTED**

**ITEMS FOR REFERRAL:**

68. Communication from the Commissioner of Building transmitting a petition to amend the Zoning Ordinance submitted on behalf of Mount Hope AME Zion Church, located at 65 Church Street. **F/S AND REFERRED TO LAW, PLANNING BOARD AND ENVIRONMENTAL OFFICER.**
69. Communication from Commissioner of Building in relation to an application submitted on behalf of AEPI, LLC., for the re-purposing of 440 Hamilton Avenue to convert it into a multi-family residential development to include retail space. **F/S AND REFERRED TO LAW, BUILDING DEPT., DESIGN REVIEW BOARD, PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., CONSERVATION BOARD, WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**
70. Communication from Commissioner of Building in relation to an application submitted on behalf of AEPI, LLC., regarding a joint application of 440 Hamilton Avenue and 400

Hamilton Avenue to amend a current Parking Easement to permit the joint use of fifty parking spaces. **F/S AND REFERRED TO LAW, BUILDING DEPT., DESIGN REVIEW BOARD, PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., CONSERVATION BOARD, WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**

**ITEMS FOR INFORMATION:**

71. Communication from Commissioner of Finance transmitting the Interim Financial Report for the period ending December 31, 2016. **F/S AND ATTACHMENT FILED.**
  
72. Communication from Commissioner of Finance transmitting the Capital Projects Status Report for the period ending December 31, 2016. **F/S AND ATTACHMENT FILED.**
  
73. Communication from Chairman, Capital Projects Board, transmitting the Capital Improvement Program for the years 2017 - 2023. **F/S AND ATTACHMENT FILED.**