



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

**PLEDGE TO THE FLAG:** Hon. Hunt-Robinson

**ROLL CALL:** City Clerk

**FIRST READING  
ORDINANCES:**

1. Communication from Corporation Counsel in relation to certain tax review proceedings.  
**F/S**
2. Ordinance authorizing the settlement of certain tax review proceedings.  
**ADOPTED 7 - 0**
3. Communication from Corporation Counsel in relation to the issuance of a Supplemental Tax Bill for 2015/2016 Tax Year, for 52 North Broadway, owned by WP Development NB LLC, to correct a tax billing error. **F/S**
4. Ordinance authorizing the correction to the 2015/2016 Supplemental Tax Bills issued for the City of White Plains taxes and the 2015 County of Westchester taxes for 52 North Broadway, owned by WP Development NB LLC, and identified as Section 125.52, Block 2, Lot 5.1 on the Tax Assessment Maps of the City of White Plains. **ADOPTED 7 - 0**
5. Communication from Corporation Counsel in relation to an amendment to a previously adopted ordinance, in relation to 107 Holdings LLC, to correct an error on the proposed new assessments resulting in an additional refund of \$721.80. **F/S**
6. Ordinance amending an ordinance entitled, "An ordinance authorizing the settlement of certain tax review proceedings." **ADOPTED 7 - 0**

7. Communication from the Mayor in relation to an agreement between the City and the New York State Empire State Development to accept a grant award of up to \$490,000 to promote tourism in the City of White Plains. **F/S**
8. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into an agreement with New York State Empire State Development to accept, on behalf of the City of White Plains, a grant award of up to \$490,000 to promote tourism in the City of White Plains. **ADOPTED 7 - 0**
9. Communication in relation to Capital Project No. C5490, Renovations to City Facilities FY 2017. **F/S**
10. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5490, entitled Renovations to City Facilities FY 2017. **ADOPTED 7 - 0**
11. Bond Ordinance dated March 6, 2017, authorizing the issuance of \$75,750 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the cost of the construction or reconstruction of city-owned buildings. **ADOPTED 7 - 0**
12. Communication in relation to Capital Project No. C5489, Community Center Flooring. **F/S**
13. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5489, Community Center Flooring. **ADOPTED 7 - 0**
14. Communication from Commissioner of Public Works in relation to an increase of expenditures in the Fiscal Year 2016-2017 Water Fund Budget for additional costs for repairs to a major main water distribution line at the Orchard Street Pump Station. **F/S**
15. Ordinance authorizing an increase of expenditures from the 2016-2017 Water Fund Budget in order to reflect additional costs for repairs necessitated by a major water leak in a main water distribution line out of the Orchard Street Pump Station. **ADOPTED 7 - 0**
16. Communication from the Commissioner of Public Works in relation to the closure of certain public streets and rights-of-way, and appropriate parking restrictions, in conjunction with the City's 2017 Special Events Calendar. **F/S**
17. Ordinance of the Common Council of the City of White Plains authorizing the closure of certain portions of public streets for the White Plains Farmers Market, Wednesdays, April 26, 2017 through November 22, 2017; the Cinco De Mayo Celebration on May 7, 2017; the Memorial Day Parade on May 29, 2017; the

Juneteenth Parade on June 10, 2017; the Annual White Plains Downtown Criterium Bike Race and Vendor Expo on June 3, 2017; Summer Solstice Celebration on June 22, 2017; National Night Out on Crime on August 1, 2017; Outdoor Move Night, Stars Wars, on September 9, 2017; Jazzfest on September 17, 2017; Youth Bureau Wellness Week on September 16, 2017, Oktoberfest on October 8, 2017, Halloween Frightfully Fun Festival, on October 29, 2017 (Rain Date October 30, 2017); Winterfest on December 8, 2017 through December 18, 2017; the White Plains New Year's Eve Spectacular, on December 31, 2017 through January 1, 2018. **ADOPTED 7 - 0**

18. Communication from Commissioner of Public Works in relation to the closure of certain public streets and rights-of-way, and appropriate parking restrictions, on Saturday, March 11, 2017, for the 20<sup>th</sup> Annual Saint Patrick's Day Parade. **F/S**
19. Ordinance of the Common Council of the City of White Plains authorizing the closure of certain public streets and appropriate parking restrictions, on March 11, 2017, for a Saint Patrick's Day Parade sponsored by the White Plains Saint Patrick's Day Parade Committee, and the White Plains Business Improvement District (BID). **ADOPTED 7 - 0**
20. Communication from Deputy Commissioner of Public Safety in relation to a two year extension of an agreement between the City and the Society for the Prevention of Cruelty to Animals of Westchester, Inc. (SPCA) to provide municipal shelter services for dogs and cats pursuant to the New York State Agriculture and Markets Law. **F/S**
21. Ordinance of the Common Council of the City of White Plains extending for an additional two years the City's agreement with the Society for the Prevention of Cruelty to Animals of Westchester, Inc. (SPCA) to provide municipal shelter services for dogs and cats pursuant to the New York State Agriculture and Markets Law. **ADOPTED 7 - 0**
22. Communication from Deputy Commissioner of Public Safety in relation to an agreement between the City for reimbursement of overtime in connection with a multi-agency program directed by the Federal Bureau of Investigation. **F/S**
23. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to execute an agreement to accept on behalf of the City of White Plains through the Department of Public Safety, reimbursement from overtime worked in connection with a multi-agency program directed by the Federal Bureau of Investigation. **ADOPTED 7 - 0**
24. Communication from Commissioner of Building in relation to the repeal of Section 9-10 of the White Plains Municipal Code for Signs, Awnings and Windows, and adding a new Section 9 - 10. **F/S**
25. Ordinance repealing Section 9-10 of the Municipal Code of the City of White

Plains relating to Signs, Awnings and Windows, and adding a new Section 9-10.  
**ADOPTED 7 - 0**

26. Communication from Deputy Commissioner of Planning in relation to an agreement between the City and Westchester Residential Opportunities, Inc., for the City's Zombie and Vacant Properties Remediation and Prevention Initiative. **F/S**
27. Ordinance authorizing the Mayor or his designee to enter into a consulting agreement with Westchester Residential Opportunities, Inc., ("Consultant") for the City of White Plains Zombie and Vacant Properties Remediation and Prevention Initiative. **ADOPTED 7 - 0**
28. Communication from Commissioner of Finance in relation to the acceptance of the White Plains Downtown Business Improvement District's Budget for Fiscal Year 2017/2018, and authorizing the preparation of an assessment tax roll. **F/S**
29. Ordinance accepting the 2017-2018 Budget for the White Plains Downtown Business Improvement District and directing the preparation of an assessment roll based thereon. **ADOPTED 7 - 0**
30. Communication from Director, Youth Bureau, in relation to the proposed Schedule of User Fees for Fiscal Year 2017-2018, for the After School Connection Program, Vacation Camp and Bit's & Pieces Tutorial Summer Camp. **F/S**
31. Ordinance of the Common Council of the City of White Plains establishing and approving a fee schedule for various programs and camps organized and operated by the Youth Bureau for Fiscal Year 2017 - 2018. **ADOPTED 7 - 0**
32. Communication from Director, Youth Bureau, in relation to a grant funded through the U.S. Department of Health and Human Services Administration for Children and Families (ACF), and a contract with the Nepperhan Community Center to provide Healthy Marriage and Relationship Services for the Lower Hudson Valley Healthy Families and Relationships Initiatives. **F/S**
33. Ordinance authorizing the Mayor, or his designee, to enter into a contract with the Nepperhan Community Center to accept an award funded through the U.S. Department of Health and Human Services Administration for Children and Families (ACF) in the amount of \$12,000, for the White Plains Youth Bureau to partner with the Nepperhan Community Center to provide healthy marriage and relationship services for the Lower Hudson Valley Healthy Families and Relationship Initiatives (LHVHFR), and to authorize the Budget Director to amend the FY 2016/17 Youth Development Fund to reflect this Grant.  
**ADOPTED 7 - 0**

34. Communication from Corporation Counsel in relation to an action to recoup funds expended or to be expended from the City's Self-Insurance Fund and to employ Special Counsel for said purpose. **F/S**
35. Ordinance of the Common Council amending an ordinance entitled, "An ordinance of the Common Council of the City of White Plains authorizing the Corporation Counsel to initiate an action to recoup funds expended or to be expended from the City's Self Insurance Fund and to employ Special Counsel for said purpose." **ADOPTED 7 - 0**
36. Communication from Chairman, Transportation Commission, in relation to amendment to the Traffic Ordinance at various locations around the City. **F/S**
37. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to deleting a "One Hour Parking" Zone on the north side of Hillside Terrace; modifying a "Two Hour Parking" Zone on the east side of Overlook Road; and modifying a "Three Hour Parking" Zone on the north side of Hillside Terrace. **ADOPTED 7 - 0**
38. Communication from the Mayor in relation to a Stipulation of Agreement between the City and the White Plains Professional Fire Fighters Association, Inc., Local 274 I.A.F.F., A.F.L.-C.I.O., to extend a collective bargaining agreement ending June 30, 20156 for three years, through June 30, 2018. **F/S**
39. Ordinance approving and ratifying the February 24, 2017 Stipulation of Agreement between the negotiating representatives of the City of White Plains and the Professional Fire Fighters Association, Inc., authorizing the Mayor to direct the Budget Director to transfer the necessary funds and the Commissioner of Finance to start payment6s under the Agreement, and authorizing the Mayor to enter into a Collective Bargaining Agreement containing the terms of the Agreement. **ADOPTED 7 - 0**

#### **RESOLUTIONS:**

40. Communication from Corporation Counsel in relation to a petition submitted on behalf of Mount Hope A.M.E. Zion Church, to amend the Zoning Ordinance of the City of White Plains to permit the subdivision of the property at 65 Lake Street, in order to construct a new six story, 60,000 square foot building to be marketed as senior citizens housing to be located next to the existing Church, and scheduling a public hearing for April 3, 2017. **F/S**
41. Communication from the City Clerk **F/S AND REFERRED TO LAW, BUILDING DEPT., DESIGN REVIEW BOARD, PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**

42. Resolution of the Common Council of the City of White Plains scheduling a public hearing for April 3, 2017, in relation to the petition submitted on behalf of Mount Hope A.M.E. Zion Church, (“Applicant”), for proposed amendments to the Zoning Ordinance of the City of White Plains (“Zoning Ordinance”) regarding two Footnotes to Section 5.3, Schedule of Dimensional Regulations: Non-Residential with respect to the B-3 Zoning District pertaining to Minimum Lot Area per Dwelling Unit and Maximum Height. **ADOPTED**
43. Communication from the Commissioner of Building in relation to an application submitted on behalf of AEP I, LLC., for the re-purposing of 440 Hamilton Avenue to convert it into a multi-family residential development to include retail space. **F/S**

**ITEMS - 64 F/S**

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| 44. | <u>Communications</u> from | Design Review Board                   |
| 45. |                            | Commissioner of Planning              |
| 46. |                            | Planning Board                        |
| 47. |                            | Commissioner of Public Safety         |
| 48. |                            | Commissioner of Public Works          |
| 49. |                            | Deputy Commissioner, Traffic Division |
| 50. |                            | Transportation Commission             |
| 51. |                            | Commissioner of Parking               |
| 52. |                            | Westchester County Planning Board     |
| 53. |                            | Environmental Officer                 |
54. Communication from Commissioner of Building in relation to an application submitted on behalf of AEP I, 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.
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| 55. | <u>Communications</u> from | Design Review Board                   |
| 56. |                            | Commissioner of Planning              |
| 57. |                            | Planning Board                        |
| 58. |                            | Commissioner of Public Safety         |
| 59. |                            | Commissioner of Public Works          |
| 60. |                            | Deputy Commissioner, Traffic Division |
| 61. |                            | Transportation Commission             |
| 62. |                            | Commissioner of Parking               |
| 63. |                            | Westchester County Planning Board     |
| 64. |                            | Environmental Officer                 |
65. Environmental Findings Resolution **ADOPTED**
66. Resolution of the Common Council of the City of White Plains approving the site plan application submitted on behalf of AEP 1 LLC (“Applicant”), the owner of the premises located at 440 Hamilton Avenue for the proposed adaptive reuse of the underutilized office building located at 440 Hamilton Avenue to a 245 unit residential building with residential community amenities and 1,600 square feet of ground floor retail development of which 25 units (10%) will be affordable at

80% of Westchester County's area median income ("AMI"), within a 12 story building and penthouse with a maximum height of 168 feet pursuant to Section 5.5.3.2 of the Zoning Ordinance, and 251 at grade required parking spaces for the project provided thorough a combination of dedicated parking spaces and joint use parking spaces pursuant to Section 8.5.3 of the Zoning Ordinance via a parking easement agreement with AT&T, the owner of the adjacent premises at 400 Hamilton Avenue, and with a reduction in the dimensions of the "Special Building Setback" located on North Broadway project frontage pursuant to Section 4.4.12 of the Zoning Ordinance, and further with the payment by the applicant of fee-in-lieu in the amount of \$756,500 to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property, to mitigate the recreational impact of the new multi-family project, in accordance with General City Law Section 27-A, and approving amendment to the site plan submitted by AT&T Corp, with respect to 400 Hamilton Avenue.

**ADOPTED**

67. Communication from Environmental Officer in relation to the Common Council designating itself as Lead Agency for the environmental review of the proposed amendment to the Zoning Ordinance to create a new "TD-1 Transit Development I" District affecting real property known as 200 Hamilton Avenue, on behalf of W.P. Mall Realty, LLC. **F/S**
68. Environmental Resolution of the White Plains Common Council designating itself as Lead Agency for the environmental review of the proposed amendment to the Zoning Ordinance to create a new "TD-1 Transit Development I" District affecting real property known as 200 Hamilton Avenue, on behalf of W.P. Mall Realty, LLC, requiring the preparation of a Draft Environmental Impact Statement (DEIS) and scheduling a comment period regarding the Draft Scoping Outline.

**ADOPTED**

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

69. Communication from Deputy Commissioner of Building in relation to amendments to a Site Plan and Special Permit application submitted on behalf of Mercedes Benz White Plains, for a proposed second floor addition over the existing building at 50 Bank Street. **F/S AND REFERRED TO LAW, BUILDING DEPT., DESIGN REVIEW BOARD, PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**
70. Communication from Commissioner of Building in relation to a site plan application submitted on behalf of Alliance Residential Company, for the proposed re-development of an approximately 2.1 acre site that fronts on Mamaroneck Avenue, Mitchell Place and East Post Road, with 475 total residential units, retail space on the ground level, and a six level parking garage. **F/S AND REFERRED TO LAW, BUILDING DEPT., DESIGN REVIEW BOARD, PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION,**

**PARKING DEPT., WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**