



**COMMON COUNCIL
AGENDA
REGULAR STATED MEETING
JUNE 6, 2016
7:30 P.M.**

PLEDGE TO THE FLAG:

Hon. Milagros Lecuona

ROLL CALL:

City Clerk

APPOINTMENTS:

1. Communication from Council President in relation to the appointment of Robert Burg, and the re-appointments of members Renee Cohen, Bonnie Hagen, Kim Holland, Frances Jones, Dana Lee, and Andrew Berger as Chairman, to the Conservation Board.

PUBLIC HEARINGS:

2. Public Hearing on a proposed amendment to the Zoning Ordinance to add 'Nursery Business' as a Special Permit Use, and add "Organic Manufacturing" as a Principal Permitted Use.
3. Public Hearing on an application submitted by 3 Fitness LLC, d/b/a Orange Theory Fitness, for a Special Permit required for a Health Club in the Central Parking Area and in all B-6 Zoning Districts, to be located at 245 Mamaroneck Avenue.
4. Communications received from Commissioner of Building
5. Design Review Board
6. Commissioner of Planning
7. Planning Board
8. Commissioner of Public Safety
9. Commissioner of Public Works
10. Deputy Commissioner, Traffic Division
11. Transportation Commission
12. Commissioner of Parking
13. Environmental Officer

14. Environmental Findings Resolution
15. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of 3 Fitness LLC (“Applicant”), a proposed tenant in a building located at 245 Mamaroneck Avenue, owned by the Silverman Realty Group, Inc., for a Special Permit to allow the build out and operation of a Health Club to be know as “Orange Theory Fitne4ss” situated in the BR-1 (Business Residential) Zoning District within the Central Parking Area (CPA).
- 15a. Public Hearing in relation to increasing income eligibility limits for persons who are sixty-two years of age or over to qualify for rent increase exemptions pursuant to New York Real Property Tax Law Section 467-b.
- 15b. Second Reading Ordinance amending an ordinance entitled, “An ordinance providing for the abatement of taxes pursuant to Section 5467-b of the Real Property Tax Law, as amended with respect to persons sixty-two years of age or order occupying dwelling units as defined in Section 467-b of the Real Property Tax Law.”

**SECOND READING
ORDINANCES:**

16. Communication from Corporation Counsel in relation to the settlement of a claim.
17. Ordinance authorizing the settlement of the action of Ann C. Connors against the City of White Plains.
18. Communication from Corporation Counsel in relation to the settlement of certain tax review proceedings.
19. Ordinance authorizing the settlement of certain tax review proceedings.
20. Communication from Chairman, Capital Projects Board, in relation to the establishment of Capital Project No. C5461, Miscellaneous Street Reconstruction FY 2016.
21. Communication from Environmental Officer.
22. Environmental Findings Resolution
23. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5461, Miscellaneous Street Reconstruction Fiscal Year 2016.

24. Communication from Chairman, Capital Projects Board, in relation to the establishment of Capital Project No. SW5477, Miscellaneous Sanitary Sewer Reconstruction FY 2016
25. Communication from Environmental Officer.
26. Environmental Findings Resolution
27. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. SW5477, Miscellaneous Sanitary Sewer Reconstruction FY 2016.
28. Bond Ordinance dated June 6, 2016, 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 reconstruction of, or addition to, various sanitary sewers.
29. Communication from Commissioner of Public Works in relation to the transfer of funds needed to reflect additional costs for necessary immediate remediation required in connection with a gas leak at the White Plains Library.
30. Ordinance authorizing the transfer of funds from the 2015-2016, General Fund Budget in order to reflect additional costs within the Department of Public Works for necessary immediate remediation required in connection with gas leaks at the White Plains Public Library.
31. Communication from Commissioner of Public Safety in relation to a revocable hold harmless license agreement between the City and Urstadt Biddle Properties, Inc., for the use of the property at 60 South Broadway by the Fire Department for the purpose of fire training.
32. Ordinance authorizing the Mayor or his designee to enter into a revocable license agreement on behalf of the City of White Plains, with Urstadt Biddle Properties, Inc., for use of the third level of the Westchester Pavilion Building at 60 South Broadway for the purpose of fire training by the Department of Public Safety (Fire Department).
33. Communication from Deputy Commissioner of Public Safety in relation to a three year agreement between the City and Empress Ambulance Service, Inc., to provide ambulance services in the City of White Plains.
34. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into an agreement with Empress Ambulance Service, Inc., for a three year period from May 1, 2016 to April 30, 2019, with the City holding an option for two one year agreements thereafter.

35. Communication from Commissioner of Recreation and Parks in relation to an agreement between the City and the County of Westchester for the continued operation of the Nutrition Program for the Senior Center.
36. Ordinance authorizing the Mayor or his designee to enter into agreements with the County of Westchester for the continuing operation by the City of White Plains for programs for year 2016, under Titles III-B, III-C-1, and the Nutrition Services Incentive Program of the Older Americans Act.
37. Communication from Director, Youth Bureau, in relation to a contract with Friends of the White Plains Youth Bureau to receive \$2,500 for continued operation of the Youth Court Program.
38. Ordinance authorizing the Mayor or his designee to enter into a contract with the Friends of the White Plains Youth Bureau to receive \$2,500 to continue the Youth Bureau's existing Youth Court Program under the Drug Free Communities Grant funded by the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Administration (SAMHSA), to pay the Youth Court Coordinator to continue the Youth Court Program to June 30, 2016, and to authorize the Budget Director to amend the FY 2015-2016 Youth Development fund to reflect this Grant.
39. Communication from Director, Youth Bureau, in relation to an amendment to an existing contract with the County of Westchester, on behalf of the Westchester Putnam Investment Board to further fund Youth Employment Services.
40. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee (acting by and through the Youth Bureau) to: (1) enter into an amended contract with the County of Westchester, acting on behalf of the Westchester Putnam Investment Board through the Westchester Workforce Development Academy for Youth (WDAY), to receive a total of \$136,263 in funding for Workforce Investment Act (WIOA) Youth Employment Services (\$125,000 and an additional \$11,236 in funding) and to extend said contract until September 30, 2016; (2) to amend the WIOA Budget to reflect the additional funds of \$11,236, for a total grant of \$136,263 from WDAY and a \$30,000 contribution from the Friends of the White Plains Youth Bureau for a grand total of \$166,263; and (3) to authorizing the Mayor to direct the Budget Director to amend the 2015/16 Youth Development Fund to reflect the aforementioned funding.
41. Communication from Director, Youth Bureau, in relation to donations in the amount of \$5,842.25 to offset the expenses of the Father/Daughter and Mother/Son Dances.
42. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to accept on behalf of the City of White Plains (through its Youth Bureau), donations in the amount of \$5,842.25, from participants to be used to offset the expenses for the 2016 Father/Daughter Dance and Mother/Son Dance, and to amend the FY 2015/16 Youth Bureau General Fund to reflect said donations.

RESOLUTIONS:

43. Communication from Commissioner of Building in relation to an application submitted on behalf of Simon Property Group, for an amendment to a previously approved site plan at 125 Westchester Avenue, to update the facade and signage, replace certain doors and windows, and add a new second floor outdoor dining terrace.

- 44. Communications received 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. Environmental Officer

53. Environmental Findings Resolution

54. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of the Simon Group Property, owner and operator of the Westchester Mall in White Plains, for an amendment to a previously approved site plan for the Westchester Mall at 125 Westchester Avenue to undertake various exterior modifications to the building, including updating the exterior facade finishes, replacing certain doors with automatic sliding doors, replacing certain windows, a new second floor outdoor terrace dining area oriented towards the intersection of Westchester Avenue and South Broadway, shielding of the valet parking area, new exterior signage, and new vehicular and pedestrian way finding signage.

55. Communication from Commissioner of Building in relation to an application submitted on behalf of Heritage White Plains, for a one year extension to a previously approved Site Plan and Special Permit for an addition at 120 Bloomingdale Road (formerly The Venue).

- 56. Communications received from Design Review Board
- 57. Commissioner of Planning
- 58. Planning Board
- 59. Commissioner of Public Safety
- 60. Commissioner of Public Works
- 61. Deputy Commissioner, Traffic Division
- 62. Transportation Commission
- 63. Commissioner of Parking
- 64. Conservation Board
- 65. Westchester County Planning Board
- 66. Environmental Officer

67. Environmental Findings Resolution

68. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of 120 Bloomingdale Road LLC (“Applicant”), for an additional one year extension of an amended site plan approval under Section 7 of the Zoning Ordinance of the City of White Plains (“Zoning Ordinance”)
69. Communication from Commissioner of Building in relation to an application submitted on behalf of Kite Realty Group, owner of property located at 1-29 Mamaroneck Avenue, known as the City Center Shopping Center, and submitting updated renderings of the proposed marquee sign as required under conditions of the previously approved site plan amendment.
70. Communication from Environmental Officer.
71. Environmental Findings Resolution
72. Resolution of the Common Council of the City of White Plains approving that portion of the site plan amendment application submitted on behalf of Kite Realty Group (“Applicant”), owner of property located at 1 - 29 Mamaroneck Avenue, known as the White Plains City Center Shopping Center (“City Center”), (Section 125.76, Block 1, Lot 2), in relation to the installation of a new glass and extruded aluminum marquee awning and associated signage to replace the existing marquee awning and associated signage for the City Center Cinema De Lux Movie Theater and the White Plains Performing Arts Center to be located above the Mamaroneck Avenue entrance to the City Center.