



**COMMON COUNCIL
AGENDA
REGULAR STATED MEETING
FEBRUARY 5, 2018
7:30 P.M.**

PLEDGE TO THE FLAG: Hon. Justin Brasch

ROLL CALL: City Clerk

APPOINTMENTS:

1. Communication from the Mayor recommending the re-appointments of Hon. John Martin, Brian Wallach and Jonathan Schere to the Memorialization Committee to terms which will expire on December 31, 2019. **F/S/A**
2. Communication from the Mayor in recommending the re-appointment of Norman DiChiara, as Chair, and Kent Johnson as a member of the Design Review Board to terms which will expire on August 15, 2019, Michael Bellantoni and Marie McCann-Barab as members to terms which will expire on August 15, 2020, and Edward Sutton to a term which will expire on August 15, 2018. **F/S/A**
3. Communication from the Mayor recommending the re-appointment of John Dillion and James Doyle as members of the Examining Board of Stationary Engineers to terms which will expire on December 31, 2019 and Oscar Longo to a term which will expire on December 31, 2018. **F/S/A**
4. Communication from the Mayor recommending an appointment and re-appointments to the Zoning Board of Appeals of Cecilia Bikkal, as Chair and John Habermann, as an alternate to terms which will expire on December 31, 2020, Denise D'Ambrosio to a term which will expire on December 31, 2023, Brian Keating to a term which will expire on December 31, 2021 and Michael Raneri to a term which will expire on December 31, 2022. **F/S/A**

5. Communication from the Mayor recommending the appointment and re-appointments of Roger Moyer, as Chair of the Appeals Committee Under the Building Code, and Thomas Devine, Gary Rogers, James Scully and Stuart Shaw as members to terms which will expire on February 1, 2022. **F/S/A**
6. Communication from the Mayor recommending the appointment of Joseph F. Markey as a member of the Transportation Commission, and the re-appointment of Melissa Briggs and Kenneth Burford to a term which will expire on December 31, 2021. **F/S/A**
7. Communication from the Mayor recommending the appointment of Terry Degatano as a member of the Mayor's Advisory Committee for People with Disabilities, and the re-appointment of Michael Hellman, Harriet Lowell, Elizabeth Mark, P. Gilbert Mercurio, Jeremiah Frei Pearson Matthew Ravick, Paul Schwarz, and Lisa Tarricone, as Chair, to terms which will expire on October 2, 2018. **F/S/A**
8. Communication from the Mayor recommending the appointment of Hon. Justin Brasch as Chair to the Youth Board to a term which will expire on December 31, 2019, and Alexander Roithmayr as a member to a term which will expire on December 31, 2018, and the reappointment of Ayanna Preudhomme, Kelly Marx, Florence Bolton, Timothy Baird, Thelma Davenport-Tulloch, Sylvester Price to terms which will expire on December 31, 2020, and Katrina Jackson to a term which will expire on December 31, 2018. **F/S/A**
9. Communication from the Mayor recommending the appointment of Hon. John Martin, as Chair of the Budget and Management Advisory Committee, and Rosa Boone, Hon. Justin Brasch, Richard Hecht, Steven Hockman, Richard Payne, Mark Mylon, Timothy Sheehan and Michael Stanton to terms which will expire on December 31, 2018. **F/S/A**
10. Communication from the Mayor recommending the re-appointments of Anna Cabrera, P. Lynn Oliva, and Jon F. Westland to the Planning Board to terms which will expire on December 31, 2024, and the appointment of Leonard Gruenfeld to a term which will expire on December 31, 2019. **F/S/A**
11. Communication from the Mayor recommending the appointment of Hon. Thomas Roach as Chair of the Capital Projects Board, the appointment of Hon. John Kirkpatrick as a member, and the re-appointment of John Ioris to terms which will expire on December 31, 2019. **F/S/A**
12. Communication from the Mayor recommending the re-appointment of Robert Hoch, as Chair of the Historic Preservation Commission, and Hon. Larry Delgado, Jennifer Lee, and Annette Kaicher, as alternate, to terms which will expire on September 7, 2019, and Rev. Jeffrey Geary and Hope Scully, to terms which will expire on September 7, 2018. **F/S/A**

13. Communication from the Mayor recommending the re-appointment of Hon. Thomas Roach as Chair of the Personnel Committee, and the appointment of Hon. John Kirkpatrick, Hon. Nadine Hunt-Robinson and Hon. John Martin to terms which will expire on December 31, 2019. **F/S/A**
14. Communication from the Mayor recommending the appointment and re-appointments of Hon. Thomas Roach as Chair of the Urban Renewal Agency, and members James Glatthaar, Daniel Moriarity, Tracey Corbitt and Norman DiChiara to terms which will expire on December 31, 2021. **F/S/A**
15. Communication from Council President recommending the appointment of Alan Ramsay, Lauren McCallion, Michael Goldman and Michael Stolzar as members of the Conservation Board to terms which will expire on March 2, 2019, and the re-appointments of Andrew Berger, as Chair, and Bonnie Hagen to terms which will expire on March 2, 2019, and Robert Burg and Kim Holland to terms which will expire on March 2, 2020. **F/S/A**
16. Communication from Council President recommending the appointment of Elaine Sommers and the re-appointment of Luz Barrera to the Library Board to terms which will expire on December 31, 2020. **F/S/A**
17. Communication from Council President recommending the appointment of David Schiff, as Chair of the Board of Ethics to a term which will expire on December 31, 2021, and appointment of Rev. Gregory Smith, and the re- appointment of Damon Amadio, Nancy Barry and Larry Delgado to terms which will expire on December 31, 2019. **F/S/A 5 - 2. NAYS: MRS. LECUONA AND MR. KROLIAN**
18. Communication from Council President recommending the appointment of Hon. Nadine Hunt-Robinson as Chair of the Recreation Advisory Committee to a term which will expire on December 31, 2020, and Caroline Furry as a member to a term which will expire on January 1, 2020, and the re-appointment of Leonard Gruenfeld, Evelyn Santiago, Richard Sanchez, Michelle Schoenfeld, and Jonathan Schere to terms which will expire on January 1, 2020, and Charles Morgan, Christopher Kent, Cayne Letizia and Kevin Scully to terms which will expire on January 1, 2019. **F/S/A**

LOCAL LAW:

19. Communication from the Corporation Counsel in relation to the scheduling of a public hearing for March 5, 2018 on Local Law Introductory No. 1 of 2018, a Local Law to amend a Sustainable Energy Loan Program in the City of White Plains in accordance with Article 5-L of the General Municipal Law. **F/S**
20. Local Law Introductory No. 1 of 2018. A Local Law to amend a Sustainable Energy Loan Program in the City of White Plains in accordance with Article 5-L of the General Municipal Law. **OFFERED ONLY**

21. Resolution of the Common Council of the City of White Plains scheduling a public hearing for March 5, 2018, in relation to Introductory Local Law No. 1 for 2018 amending the White Plain Municipal Code by amending Chapter 5-7 of said Code entitled, "A Local Law to amend a Sustainable Energy Loan Program in the City of White Plains in accordance with Article 5-L of the General Municipal Law." **ADOPTED**

ADJOURNED

PUBLIC HEARINGS:

22. Public Hearing in relation to the proposed amendment to the Zoning Ordinance of the City of White Plains creating a new TD-1 Transit Zoning District and Re-zoning a certain property in the B-2 Neighborhood Business Zoning District to TD-1 Transit Zoning District. **OPENED/ADJOURNED TO MARCH 5, 2018**

PUBLIC HEARINGS:

23. Public Hearing in relation to the application submitted on behalf of Westpark Associates NY LLC, for site plan amendment to construct a new parking garage at 1111 Westchester Avenue, White Plains, NY, which is an environmentally sensitive site as defined by Chapter 3-5 of the White Plains Municipal Code. **OPENED/CLOSED**

ITEMS 23 - 24 F/S

24. Communications from Commissioner of Building
25. Design Review Board
26. Commissioner of Planning
27. Planning Board
28. Commissioner of Public Safety
29. Commissioner of Public Works
30. Deputy Commissioner, Traffic Division
31. Transportation Commission
32. Commissioner of Parking
33. Conservation Board
34. Westchester County Planning Board
35. Environmental Officer

36. Environmental Findings Resolution **ADOPTED**

37. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of Westpark Associates NY LLC ("Applicant"), owner of the property known as 1111 Westchester Avenue, for an amendment to an approved site plan to construct a new parking garage and other site improvements. **ADOPTED**

38. Public Hearing in relation to the application submitted on behalf of White Plains Hospital ("Applicant"), for Special Permit and Amended Site Plan Approval for the

consortium in challenging the water rates proposed by the New York City Water Board. **ADOPTED 7 - 0**

57. Communication from Corporation Counsel in relation to the proposed sub-license agreement which would permit the Esplanade of White Plains Joint Venture Partnership to lease to 160 parking spaces to the White Plains Hospital at the City's Lyon Place Garage currently not being used by the Esplanade. **F/S**
58. Ordinance approving the Esplanade of White Plains Joint Venture Partnership entering into a sub-license agreement with White Plains Hospital Medical Center pursuant to which the Hospital will have the right to use and occupy the Esplanade's parking spaces at the City's Lyon Place Garage. **ADOPTED 7 - 0**
59. Communication from the Mayor in relation to the appointment of Corporation Counsel to serve as Acting City Clerk in the temporary absence of the City Clerk. **F/S**
60. Ordinance of the Common Council of the City of White Plains authorizing, pursuant to Section 50 of the Charter of the City of White Plains, the appointment of Corporation Counsel and Chief of Staff John G. Callahan as Acting City Clerk in the temporary absence of the City Clerk. **ADOPTED 7 - 0**
61. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5506, Public Safety Building, Salley Port/Garage. **F/S**
62. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5506 entitled, "Public Safety Building, Salley Port/Garage." **ADOPTED 7 - 0**
63. Bond Ordinance dated February 5, 2018, authorizing the issuance of \$303,000 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 and improvements to the Public Safety Building Garage. **ADOPTED 7 - 0**
64. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5505 entitled, "Off-Street Multi-Space Meter Replacement." **F/S**
65. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5505 entitled, "Off-Street Multi-Space Meter Replacement." **ADOPTED 7 - 0**
66. Bond Ordinance dated February 5, 2018, authorizing the issuance of \$202,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the costs of the purchase and installation of parking meters. **F/S**
67. Communication from Chairman, Capital Projects Board, in relation to Capital Project

No. C5457 entitled, "City Hall Rehabilitation Steam Pipe." **F/S**

68. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by amending Capital Project No. C4567 entitled, "City Hall Rehabilitation Steam Pipe." **ADOPTED 7 - 0**
69. Bond Ordinance dated February 5, 2018, authorizing the issuance of an additional \$303,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the reconstruction of Class "A" Buildings. **ADOPTED 7 - 0**
70. Communication from Deputy Commissioner of Public Safety in relation to a donation of \$5,000 from Fenway Charitable Foundation to be used for expenditures related to the Police K-9 Unit, and computer equipment for the Fire Department. **F/S**
71. 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, a donation in the amount of \$5,000 to be used for expenditures related to the Police K-9 Unit, and computer equipment for the Fire Department. **ADOPTED 7 - 0**
72. Communication from Commissioner of Planning in relation to a consulting agreement between the City and Westchester Residential Opportunities, Inc., for the City of White Plains Zombie and Vacant Properties Remediation and Prevention Initiative. **F/S**
73. Ordinance amending an ordinance authorizing a consultant agreement with Westchester Residential Opportunities, Inc., to provide homeowner retention and zombie prevention outreach and marketing activities for the City of White Plains Zombie and Vacant Properties Remediation and Prevention Initiative. **ADOPTED 7 - 0**
74. Communication from Commissioner of Planning in relation to a Memorandum of Understanding with the Friends of the White Plains Youth Bureau, to serve as fiscal sponsor in order for the City to accept grant funding in the amount of \$200,000 for the White Plains Education & Training Center. **F/S**
75. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into a Memorandum of Understanding with the Friends of the White Plains Youth Bureau, to serve as the fiscal sponsor on behalf of the City of White Plains (White Plains Education & Training Center), in order to accept grant funding in the amount of \$200,000 for the White Plains Education & Training Center, to provide workforce development for high growth industry employers, and receive said grant funds and transmit the funds to the City of White Plains in exchange for a five percent (5%) administrative fee. **ADOPTED 7 - 0**
76. Communication from Commissioner of Recreation and Parks submitting the Schedule

of User Fees for the Recreation and Parks Department for 2017-2018. **F/S**

77. 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**
78. Communication from Deputy Commissioner of Parking in relation to an agreement with the New York State Department of Transportation, to allow the installation and maintenance of Transit Signal Priority (TSP) equipment on buses and other locations in White Plains to permit the buses to have priority treatment at signals. **F/S**
79. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to execute an agreement with the New York State Department of Transportation, to allow for the installation and maintenance of Transit Signal Priority (TSP) equipment on buses and at traffic signals, primarily along Rout 119, and other locations on White Plains to enable buses to be given priority treatment at signals. **ADOPTED 7 - 0**
80. Communication from Deputy Commissioner of Parking in relation to a contract between the City and Traffic Technology Services, Inc., (TSS), to allow TSS to work with Trancore (maintains the White Plains Signal System), to obtain non-confidential real time traffic data from the White Plains System. **F/S**
81. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to execute an agreement with Traffic Technology Services, Inc., to allow for the sharing of real time traffic data from traffic signals. **ADOPTED 7 - 0**
82. Communication from Deputy Commissioner of Parking in relation to implementing a demonstration program to impose monetary liabilities on owners of motor vehicles for failure to comply with traffic control indicators. **F/S**
83. Ordinance of the Common Council of the City of White Plains authorizing the implementation of a demonstration program to impose monetary liabilities on owners of motor vehicles for an operator's failure to comply with traffic control indicators, including the installation and operation of traffic control signal photo violation monitoring devices, establishing penalties for violations enforced with Traffic control signal photo monitoring devices, and authorizing the Mayor to enter into a contract with American Traffic Solutions, Inc., to establish, maintain and assist in the operation of the photo violation monitoring system demonstration project. **ADOPTED 6 - 1. NAY: MRS. LECUONA**
84. Communication from Deputy Commissioner of Parking in relation to amendments to the Traffic Ordinance at various locations around the City. **F/S**
85. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to creating "Stop Intersections" on New York Avenue South at its intersection

with Winslow Road, and creating “Left Turns Prohibited” from Chatterton Parkway onto Battle Avenue. **ADOPTED 7 - 0**

RESOLUTIONS:

86. Communication from Commissioner of Planning in relation to the application for a grant from the New York State Homes and Community Renewal, New York State Affordable Housing Corporation, Office of Community Renewal, for the project “City of White Plains Affordable Home Improvement Program.” **F/S**
87. Resolution of the Common Council of the City of White Plains authorizing and directing the filing of an application for funds from the New York State Home and Community Renewal, New York State Affordable Housing Corporation, Office of Community Renewal, and upon approval of said grant application request authorization to enter into and execute a project agreement with the State for such financial assistance to the City of White Plains for the project, “City of White Plains Affordable Home Improvement Program,” to be located in the City of White Plains. **ADOPTED**
88. Communication from the Mayor authorizing the certification of a Home Rule Request seeking State legislation amending the sunset provision to permit the City to impose an Occupancy Tax. **F/S**
89. 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 Section 120-AA of the Tax Law to extend the sunset provision in relation to authorizing the City of White Plains to impose an Occupancy Tax (Assembly Bill No. A9534) (Senate Bill No. S7417). **ADOPTED**

ITEMS FOR REFERRAL:

90. Communication from Commissioner of Building in relation to an application submitted on behalf of Maple and Broadway Holdings LLC, for a site plan extension for the proposed mixed use development to be located at 60 South Broadway. **F/S AND REFERRED TO LAW, BUILDING DEPARTMENT, DESIGN REVIEW BOARD, PLANNING DEPARTMENT, PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPARTMENT, WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**
91. Communication from Commissioner of Building in relation to an application submitted on behalf of Chester WP, LLC, for a site plan approval to construct a two story professional office on property located at 6 - 8. Chester Avenue. **F/S AND REFERRED TO LAW, BUILDING DEPARTMENT, DESIGN REVIEW BOARD, PLANNING DEPARTMENT, PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPARTMENT, WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**

ITEMS FOR INFORMATION:

92. Communication from the Chairman, Capital Projects Board, transmitting the Capital Improvement Program for the period ending December 31, 2017. **F/S AND FILE ATTACHMENT**

93. Communication from Commissioner of Finance transmitting the Interim Financial Report for the period ending for the period ending December 31, 2017. **F/S AND FILE ATTACHMENT**

94. Communication from Chairman, Capital Projects Board, transmitting the Capital Improvement Program for Fiscal Year 2018 - 2024. **F/S AND FILE ATTACHMENT**

95. Communication from Commissioner of Building in relation to an application submitted on behalf of Alaska Permanent Fund for a minor amendment to a previously approved site plan for Gateway One, 1 North Lexington Avenue, to modify the entrance and lobby and entrance area. **F/S/A**