



**COMMON COUNCIL
AGENDA
REGULAR STATED MEETING
JANUARY 7, 2019
7:30 PM**

PLEDGE TO THE FLAG: Hon. Milagros Lecuona

ROLL CALL: City Clerk

APPOINTMENTS:

1. Communication from the Mayor in relation to the appointment of James Arnett as Budget Director for the City of White Plains effective January 14, 2019. **F/S/APPROVED**
2. Communication from the Mayor in relation to the re-appointment of Rosa Boone-Morgan, William Brady, Millie Castro, Sidia Cortes, Marie Houston, Mary Perri, Charlene Rayner, Jonna Robins and Stephen Wallfish as members of the Community Development Citizens Advisory Committee, and Kenneth Crary, as Chair, to terms which will expire on December 31, 2019. **F/S/APPROVED**
3. Communication from the Mayor in relation to the appointment of Kenneth Burr as a member of the Mayor's Advisory Committee on People with Disabilities to a term which will expire on October 2, 2021. **F/S/APPROVED**
4. Communication from the Council President in relation to the re-appointments of Hope Furth, Yuri Haynes and Paul Schwarz as members of the Library Board to terms which will expire on December 31, 2021. **F/S/APPROVED**

PUBLIC HEARINGS

5. Public Hearings in relation to applications submitted on behalf of American Kitchen, d/b/a Freebird Kitchen and Bar, for Special Permits, (1) to operate an Accessory Cabaret, and (2) for Outdoor Dining at 161 Mamaroneck Avenue. **OPENED/CLOSED**

ITEMS 6-16 F/S

6. Communications from Commissioner of Building (2)
7. Reserved
8. Commissioner of Planning (2)
9. Planning Board (2)
10. Commissioner of Public Safety (2)
11. Commissioner of Public Works (2)
12. Deputy Commissioner, Traffic Division (2)
13. Transportation Commission (2)
14. Commissioner of Parking (2)
15. Westchester County Planning Board (2)
16. Environmental Officer (2)

17. Environmental Findings Resolutions (2) **ADOPTED**

18. Resolution of the Common Council of the City of White Plains granting the application made on behalf of Crafted American Kitchen and Bar, LLC, (“Applicant”) for a Special Permit to allow an Accessory Cabaret at Freebird Kitchen and Bar, located at 161 Mamaroneck Avenue.

ADOPTED

19. Resolution of the Common Council of the City of White Plains granting the application made on behalf of Crafted American Kitchen and Bar, LLC, (“Applicant”) for a Special Permit to allow Outdoor Dining at Freebird Kitchen and Bar, located at 161 Mamaroneck Avenue. **ADOPTED**

20. Public Hearing on a proposed fourth amendment to the contract for sale of land for private redevelopment by and between the White Plains Urban Renewal Agency (“Agency”), the City of White Plains (“City”) and LCOR 55 Bank Street LLC (“LCOR”), approved by the Agency on May 23, 2007, and by the Common Council on June 4, 2007, as first amended by the Agency on July 17, 2008, and by the Common Council on August 8, 2008, as second amended by the Agency on August 13, 2014, and by the Common Council on September 2, 2014, and as third amended by the Agency on March 18, 2015, and by the Common Council on April 6, 2015. **OPENED/CLOSED**

ITEMS 21 - 31 F/S

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

32. Environmental Findings Resolution **ADOPTED**

33. Resolution approving the fourth amendment to the contract for sale of land for private redevelopment by and between the White Plains Urban Renewal Agency, the City of White Plains, and LCOR 55 Bank Street, LLC, (the "LCOR LDA"), approved by the Agency on May 23, 2007 and by the Common Council on June 14, 2017, amended by the Agency on May 23, 2007, and by the Common Council on June 14, 2007, amended by the Agency on July 17, 2008, and by the Common Council on August 8, 2008; further amended by the Agency on August 13, 2014, and by the Common Council on September 2, 2014, and additionally amended by the Agency on March 18, 2015 and by the Common Council on April 6, 2015.

ADOPTED

34. Resolution of the Common Council of the City of White Plains granting the application submitted on behalf of LCOR 55 Bank Street LLC ("Applicant" or "LCOR") for an amendment to its existing site plan approval with respect to the South Tower originally adopted by resolution of the Common Council on February 4, 2008, and amended and extended by resolution adopted November 2, 2009, and further extended by a resolution adopted August 6, 2012, and additionally amended by a resolution adopted September 2, 2014, and payment by the applicant of fee-in-lieu in the amount of \$108,000 to be used exclusively for park, playground and other recreational purposes, including the acquisition of real property, to mitigate the recreational impact of the 36 additional units added to the previously approved multi-family project, in accordance with General City Law Section 27-A. **ADOPTED**

FIRST READING

ORDINANCES:

35. Communication from Corporation Counsel in relation to amendment Chapter 4-23 of the Municipal Code entitled "Telecommunications Franchises and Licensing" to add a new provision 4-23-4(c) regarding the application fee for franchises for small wireless facilities. **F/S**
36. Ordinance to amend the Chapter 4-23 of the White Plains Municipal Code entitled "Telecommunications Franchises and Licensing" to add a new provision 4-23-4(c) regarding the application fee for franchises for small wireless facilities. **ADOPTED 7 - 0**
37. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5529, entitled Municipal Parking Structure Rehabilitation FY 2019. **F/S**
38. Communication from Environmental Officer **F/S**
39. Environmental Findings Resolution **ADOPTED**

40. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5529 entitled Municipal Parking Structure Rehabilitation FY 2019. **ADOPTED 7 - 0.**
41. Bond Ordinance dated January 7, 2019, authorizing the issuance of \$404,000 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 various parking garages in and for the City. **ADOPTED 7 - 0**
42. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5506, entitled Public Safety Building Salley Port Garage. **F/S**
43. Communication from Environmental Officer. **F/S**
44. Environmental Findings Resolution **ADOPTED**
45. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by amending Capital Project No. C5506 entitled Public Safety Building Salley Port Garage. **ADOPTED 7 - 0**
46. Bond Ordinance dated January 7, 2019, 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 additional costs of the reconstruction of the Public Safety Building Salley Port Garage in and for the City. **ADOPTED 7 - 0**
47. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5531 entitled Renovations to City Facilities FY 2019. **F/S**
48. Communication from Environmental Officer. **F/S**
49. Environmental Findings Resolution **ADOPTED**
50. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5531 entitled Renovations to City Facilities FY 2019. **ADOPTED 7 - 0**
51. Bond Ordinance dated January 7, 2019, authorizing the issuance of \$76,000 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 City-owned buildings. **ADOPTED 7 - 0**
52. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5530, entitled Lexington Grove Garages East and West Structural Rehabilitation FY 2019. **F/S**

53. Communication from Environmental Officer. **F/S**
54. Environmental Findings Resolution **ADOPTED**
55. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5530 entitled Lexington Grove Garages East and West Structural Rehabilitation FY 2019. **ADOPTED 7 - 0**
56. Bond Ordinance dated January 7, 2019, 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 various parking garages including the Lexington Grove East and West Parking Garages in and for the City. **ADOPTED 7 - 0**
57. Communication from Commissioner of Building in relation to a grant from Enterprise Community Partners, Inc., in an amount up to \$80,000 to implement the Cities for Responsible Investment and Strategic Enforcement, Phase II (Cities Rise II) Program Grant. **F/S**
58. Ordinance of the Common Council authorizing the Mayor, or his designee, to enter into a grant agreement and accept on behalf of the City of White Plains, a grant from Enterprise Community Partners, Inc., in an amount up to \$80,000 to implement the Cities for Responsible Investment and Strategic Enforcement, Phase II (Cities Rise II) Program Grant. **ADOPTED 7 - 0**
59. Communication from Director, Youth Bureau, in relation to funding in the amount of \$189,263 from the New York State Office of Alcoholism and Substance Abuse Services to support the Project Hope Program. **F/S**
60. Ordinance of the Common Council of the City of White Plains authorizing the Mayor to receive \$189,263 in funding to continue the Project Hope Program through the New York State Office of Alcoholism and Substance Abuse Services (OASAS) to provide alcohol and substance prevention services to the City of White Plains. **ADOPTED 7 - 0**
61. Communication from Director, Youth Bureau, in relation to funding in the amount of \$30,519 from the County of Westchester in support of the Youth Bureau's Comprehensive Youth Alternative Projects Program. **F/S**
62. 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 its Youth Bureau), a \$30,519 grant from the County of Westchester to support the White Plains Youth Bureau's Comprehensive Youth Alternatives Projects Program.

ADOPTED 7 - 0

63. Communication from Director, Youth Bureau, in relation to a grant award from the Friends of the White Plains Youth Bureau in the amount of \$24,000, which was received from The Door/Gap Foundation This Way Ahead Program to provide youth employment training. **F/S**
- 63a. Ordinance authorizing the Mayor, or his designee, to enter into a contract with the Friends of the White Plains Youth Bureau to accept a grant award to administer the This Way Ahead New York Youth Employment initiative and to authorize the Budget Director to amend the Fiscal Year 2018-2019 Youth Development Fund to reflect this Grant. **ADOPTED 7 - 0**
64. Communication from Personnel Officer in relation to amending the Municipal Code Compensation and Leave Plan to allocate a position salary and establishing a position title. **F/S**
65. Ordinance amending Section 2-5-76 of the White Plains Municipal Code by allocating the salary of a certain position title, and Section 2-5-77 and 2-5-81 by establishing a certain position title. **ADOPTED 7 - 0**
66. Communication from Transportation Commission in relation to proposed amendments to the Traffic Ordinance at various locations around the City. **F/S**
67. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to creating a “No Stopping Any Time” on the north side of New Street. **ADOPTED 7 - 0**

RESOLUTIONS:

68. Communication from Corporation Counsel in relation to a Memorandum of Understanding between the City and the County of Westchester to make the County’s Online Land and Legal Public Viewer System available to the City. **F/S**
69. Resolution 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 County of Westchester to permit access to the Westchester County Clerk’s Online Land and Legal Public Viewer System. **ADOPTED**
70. Communication from Commissioner of Public Safety in relation to an Inter-municipal Agreement between the City and the County of Westchester to permit the City Department of Public Safety to staff and operate a Primary Public Safety Answering Point at its Police Headquarters. **F/S**

71. Resolution of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into an Inter-municipal Agreement with the County of Westchester to permit the City's Department of Public Safety to staff and operate a Primary Public Safety Answering Point at its Police Headquarters. **ADOPTED**

ITEMS 72 - 82 F/S

72. Communication from Commissioner of Building in relation to an application submitted on behalf of Post Maple 77, LLC, a related company of Grid Properties, Inc., to be known as the Boulevard, requesting an extension to a previously approved site plan for a mixed use development project located on a site bounded by Maple Avenue, West Post Road, South Lexington Avenue and Rathbun Avenue.

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| 73. | <u>Communications</u> from | Design Review Board |
| 74. | | Commissioner of Planning |
| 75. | | Planning Board |
| 76. | | Commissioner of Public Safety |
| 77. | | Commissioner of Public Works |
| 78. | | Deputy Commissioner, Traffic Division |
| 79. | | Transportation Commission |
| 80. | | Commissioner of Parking |
| 81. | | Westchester County Planning Board |
| 82. | | Environmental Officer |

83. Environmental Findings Resolution **ADOPTED**

84. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of Post Maple 77, LLC, a related company of Grid Properties, Inc., ("Applicant"), for a one (1) year extension of site plan approval originally granted on November 7, 2016, and last extended on March 6, 2018, for a mixed use development of approximately 220,000 rentable square feet of retail and fitness uses, twelve (12) "townhouse" multi-family dwelling units, and an approximately 720 space self parking garage with additional valet parking for up to 82 parking spaces and 54 satellite parking spaces, as needed, and 37 joint use parking spaces to serve all the uses of the property (known collectively as the Boulevard), and payment by the applicant of fee-in-lieu in the amount of \$36,000 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. **ADOPTED**

ITEMS 85 - 96 F/S

85. Communication from the Commissioner of Building in relation to the application submitted on behalf of 120 Bloomingdale Road LLC, and ND Acquisitions, LLC, for an amendment to the "S" Zone as approved and amended to date by the Common Council with respect to 120 Bloomingdale Road (Section 131.21, Block 3, Lots 2.11 and 2.12 on the Tax Assessments Maps of the City of White Plains), with respect to a site plan application to allow development of 132 apartments, in a multi-family residential project for independent senior living, as well as a

jurisdiction from the Board of Appeals over the Special Permit portion of the Special Permit/Site Plan Application submitted on behalf of the Windward School for the adaptive reuse of an existing three story office building into a private elementary school to be located at 1275 Mamaroneck Avenue {Section 138.14, Block 12, Lot 32} due to the substantial public importance of the use and to refer the application to the appropriate City Departments, Boards, Commissions, and Officers and to the Westchester County Planning Board for review, comments and recommendations in accordance with the Zoning Ordinance of the City of White Plains. **ADOPTED**

102a. Communication from Council Members Krolian and Lecuona in relation to a resolution to amend Chapter 2-3 of the Municipal Code in relation to opportunities for individuals to be heard by the Common Council. **TABLED**

102b. Resolution of the Common Council of the City of White Plains amending Chapter 2-3 of the White Plains Municipal Code in relation to opportunities for individuals to be heard by the Common Council. **TABLED**

ITEMS FOR INFORMATION:

103. Communication from Chairman, Historic Preservation Commission, transmitting a resolution of the Commission recommending that the Municipal Building, City Hall, 255 Main Street, be designated as a Local Landmark. **F/S**

104. Communication from Director, Youth Bureau, transmitting the Youth Bureau's Annual Report for 2018. **F/S AND ATTACHMENT FILED.**