



**COMMON COUNCIL  
AGENDA  
REGULAR STATED MEETING  
FEBRUARY 4, 2019  
7:30 PM**

**PLEDGE TO THE FLAG:** Hon. John Martin

**ROLL CALL:** City Clerk

**APPOINTMENTS:**

1. Communication from the Mayor in relation to the appointment of Joseph Dursi 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/A**

**LOCAL LAW:**

2. Communication from Corporation Counsel in relation to the scheduling of a public hearing for March 4, 2019, a Local Law to amend Section 33 of Article III of the Charter of the City of White Plains in relation to ordinances and appropriation of money; franchises. **F/S**
3. Introductory Local Law No. 1 for 2019. A Local Law to amend Section 33 of Article III of the Charter of the City of White Plains in relation to ordinances and appropriation of money; franchises. **OFFER ONLY**
4. Resolution of the Common Council of the City of White Plains scheduling a public hearing for March 4, 2019 in relation to Local Law Introductory No. 1 for 2019, amending Section 33 of Article III of the Charter of the City of White Plains in relation to ordinances and appropriation of money; franchises. **ADOPTED**

**ADJOURNED**  
**PUBLIC HEARING:**

5. Public Hearing in relation to the petition submitted on behalf of WP Development NB, Inc., to amend the Zoning Ordinance to create a new Planned Residential Development Zoning District and amend the Zoning Map classification from RM-1.5 to Planned Residential Development, and the Draft Environmental Impact Statement. **OPENED/ADJOURNED TO MARCH 4, 2019.**

**FIRST READING**  
**ORDINANCES:**

6. Communication from Corporation Counsel in relation to the settlement of certain tax review proceedings. **F/S**
7. Ordinance authorizing the settlement of certain tax review proceedings.  
**ADOPTED 7 - 0**
8. Communication from Corporation Counsel in relation to a tax abatement agreement pursuant to Private Housing Law Section 577 in connection with a project of the WP Housing Development Fund Corporation and Trinity Brookfield Commons Four Phase Two Limited Partnership. **F/S**
9. Ordinance authorizing the Mayor to enter into a tax abatement agreement pursuant to Private Housing Law Section 577 in connection with a project of the WP Housing Development Fund Corporation and Trinity Brookfield Commons Four Phase Two Limited Partnership. **ADOPTED 7 - 0**
10. Communication from Chairman, Capital Projects Board in relation to an ordinance to amend the Capital Projects Fund by establishing Capital Project No. C5535, entitled "Brookfield Commons Improvements," and authorizing the Mayor to enter into an Inter-municipal Agreement with the County of Westchester, WP Two Housing Development Fund Corporation and Trinity Brookfield Commons Four Phase Two Limited Partnership. **F/S**
11. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5535, entitled "Brookfield Commons Improvements," and authorizing the Mayor to enter into an Inter-municipal Agreement with the County of Westchester, WP Two Housing Development Fund Corporation and Trinity Brookfield Commons Four Phase Two Limited Partnership. The property is located south of the Prelude on Lexington Avenue and subject to a ground lease from the White Plains Housing Authority to WP Two Housing Development Fund Corporation as nominee for Trinity Brookfield Commons Four Phase Two Limited Partnership. **ADOPTED 7 - 0**

12. Communication from the Mayor in relation to a request from Trinity Brookfield Four Phase Two Limited Partnership for a \$1,000,000 loan from the City's Affordable Housing Assistance Fund (AHAF) to facilitate construction of the Brookfield Commons Phase II Project. **F/S**

**ITEMS 13 - 16 F/S**

- 13. Communication from Corporation Counsel
- 14. Commissioner of Planning
- 15. Commissioner of Building
- 16. Commissioner of Finance
  
- 17. Ordinance of the Common Council of the City of White Plains granting the application submitted by Trinity Brookfield Commons Four Phase Two Limited Partnership under Section IV of the City's Affordable Home Ownership Program for a deferred loan of \$1,000,000 from the City's Affordable Housing Assistance Fund for an affordable housing project to develop one hundred twenty-nine units of low and moderate income rental housing on South Lexington Avenue. **ADOPTED 7 - 0**
  
- 18. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. W5532, Water Storage Tank Replacement. **F/S**
  
- 19. Communication from Environmental Officer. **F/S**
  
- 20. Environmental Findings Resolution **ADOPTED**
  
- 21. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. W5532 entitled, Water Storage Tank Replacement. **ADOPTED 7 - 0**
  
- 22. Bond Ordinance dated February 4, 2019, authorizing the issuance of \$21,210,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the costs of the acquisition and installation of water system improvements. **ADOPTED 7 - 0**
  
- 23. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. W5533, Replacement of two 24 inch Transmission Mains. **F/S**
  
- 24. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. W5533 entitled, Replacement of two 24 inch Transmission Mains. **ADOPTED 7 - 0**
  
- 25. Bond Ordinance dated February 4, 2019, authorizing the issuance of \$3,030,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the costs of the acquisition and installation of water system improvements. **ADOPTED 7 - 0**

26. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5534, Lake Street Lighting Improvements. **F/S**
27. Communication from Environmental Officer **F/S**
28. Environmental Findings Resolution **ADOPTED**
29. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5534, Lake Street Lighting Improvements. **ADOPTED 7 - 0**
30. Bond Ordinance dated February 4, 2019, 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 acquisition of street lighting improvements. **ADOPTED 7 - 0**
31. Communication from Commissioner of Public Works in relation to the closure of certain public streets and parking restrictions on Saturday, March 9, 2019 for the Annual St. Patrick's Day Parade. **F/S**
32. Ordinance of the Common Council of the City of White Plains authorizing the closure of certain public streets and appropriate parking restrictions on March 9, 2019, 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 6 - 0. RECUSAL: MR. MARTIN**
33. Communication from Commissioner of Public Safety in relation to a donation from Fenway Charitable Foundation of \$7,500 to be used to purchase an Unmanned Aircraft System. **F/S**
34. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to execute documents required in connection with the acceptance of a donation of \$7,500 from the Fenway Charitable Foundation, and to direct the Budget Director to amend the 2018/19 Public Safety Grant Fund Budget to reflect the receipt and appropriation of these funds. **ADOPTED 7 - 0**
35. Communication from Commissioner of Recreation and Parks in relation to the proposed Schedule of User Fees effective March 1, 2019. **F/S**
36. 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**

37. Communication from Director, Youth Bureau, in relation to an award in the amount of \$36,000 from the U.S. Health and Human Services for a contract with Westchester County for the Sexual Risk Avoidance Education Program. **F/S**
38. Ordinance authorizing the Mayor, or his designee, to enter into a contract with Westchester County to accept a grant on behalf of the City of White Plains (through its Youth Program), for the Sexual Risk Avoidance Education Program for the period of September 30, 2018 through September 29, 2019, and to amend the FY 2018-2019 Youth Development Fund to reflect said Grant. **ADOPTED 7 - 0**
39. Communication from Transportation Commission in relation to proposed amendments to the Traffic Ordinance at various locations around the City. **F/S**
40. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to modifying "Traffic Control Signals" at the intersection of Maple Avenue and Oakwood Avenue. **ADOPTED 7 - 0.**

#### **RESOLUTIONS:**

41. Communication from Corporation Counsel in relation to the scheduling concurrent public hearings for March 4, 2019 on an application submitted on behalf of the Windward School for site plan and special permit approval on a proposed adaptive reuse of an existing three story, 113,000 sq. ft. office building currently occupied by the March of Dimes located at 1275 Mamaroneck Avenue, to relocate grades 1 - 5 from other campuses into the renovated facility. **F/S**
42. Resolution of the Common Council of the City of White Plains scheduling concurrent public hearings for March 4, 2019, in relation to an application submitted on behalf of the Windward School for a Special Permit for a "private elementary school" at 1275 Mamaroneck Avenue, White Plains, NY, which is an environmentally site as defined by Chapter 3-5 of the White Plains Municipal Code. **ADOPTED**
43. Communication from Corporation Counsel scheduling a concurrent public hearings for March 4, 2019, in relation to an application submitted on behalf of N.P. RPW Westchester JV LLC, for a Zoning Map Amendment to overlay the Planned Campus Development District (PCD) to be known as The Flats at 1133 Westchester Avenue, in order to develop a multi-family residential project consisting of three five story buildings, 303 rental units, grade parking, an outdoor swimming pool and fitness center. **F/S**

44. Communication from Commissioner of Planning. **FILE, SPREAD 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, CONSERVATION BOARD, AND ENVIRONMENTAL OFFICER.**
45. Resolution of the Common Council of the City of White Plains scheduling concurrent public hearings for March 4, 2019, in relation to applications submitted by NRP RPW Westchester JV LLC, for a Zoning Map Amendment and site plan approval for a multi-family residential construction project on an environmentally sensitive site in the Planned Campus Development District. **ADOPTED**
46. Communication from the Personnel Officer transmitting a resolution of the White Plains Housing Authority and ordinance in relation to an additional 30 sick days to the Deputy Director - WPHA. **F/S**
47. Resolution of the Common Council of the City of White Plains for the approval of compensation for a certain position of the White Plains Housing Authority. **ADOPTED**

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

48. Communication from Commissioner of Building in relation to a petition to amend the Zoning Ordinance submitted on behalf of 37 DeKalb Owner, LLC, to establish a new Special Permit Uses in the R2-2.5 District to permit the adaptive reuse of 37 DeKalb Avenue (a former nursing home) for 21 multifamily rental units. **FILE, SPREAD AND REFERRED TO LAW, PLANNING BOARD, AND ENVIRONMENTAL OFFICER.**

#### **ITEMS FOR INFORMATION:**

49. Communication from Commissioner of Building, in relation to a request submitted on behalf of Danone North America, Public Benefit Corporation and Danone US, LLC, (formerly known as the Dannon Company, LL) ("Applicant"), for a Minor Amendment to a previously approved Special Permit and Site Plan, to eliminate the need for screening of mechanical equipment on the roof as the installed equipment has screening incorporated into the design. **F/S/A**
50. Communication from Commissioner of Building in relation to a request submitted by 122 W.P.R. Corp., for a three year renewal of a Special Permit to maintain an Accessory Parking Lot at 134-140 West Post Road. **F/S/A**

51. Communication from Commissioner of Building in relation to an application submitted on behalf of the White Plains Hospital Medical Center, for a three year renewal of a Special Permit to maintain an Accessory Parking Lot at 2 - 6 Oakwood Avenue. **F/S/A**
  
52. Communication from Commissioner of Building in relation to an application submitted on behalf of 432 Mamaroneck Co, LLC, 442-452 (a/k/a 434-440) Mamaroneck Avenue for a three year renewal of a Special Permit to maintain an Accessory Parking Lot. **F/S/A**
  
53. Communication from Chairman, Historic Preservation Commission, transmitting a resolution in relation to the proposed designation of the Civil War Remembrance Memorial Monument located in Tibbits Park at Main and North Broadway, as a Historic Local Landmark. **F/S**
  
54. Communication from the Chairman, Capital Projects Board, transmitting the Capital Improvement Program 2019-2025. **F/S AND ATTACHMENT FILED.**
  
55. Communication from Commissioner of Finance transmitting the Interim Financial Report for the period ending December 31, 2018. **F/S AND ATTACHMENT FILED.**