

WHITE PLAINS URBAN RENEWAL AGENCY

255 Main Street • White Plains • NY • 10601 • (914) 422-1300

March 10, 2023

NOTICE OF SPECIAL URBAN RENEWAL AGENCY MEETING AND AGENDA

Date/Time: Tuesday, March 14, 2023 at 10:00 am

Place: **Common Council Chambers, 2nd Floor**
255 Main Street, White Plains

The Agency will hold a special meeting at the time and place noted above to consider the matters described in the attached Agenda.

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AGENDA

Special Meeting of the White Plains Urban Renewal Agency

Common Council Chambers, 2nd Floor
255 Main Street, White Plains

March 14, 2023 at 10:00 AM

- A. Roll Call
- B. Approval of Minutes (November 15, 2022)
- C. Action Items:
 - 1. **RESOLUTION 01-2023** - A RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE CHAIRMAN, OR HIS DESIGNEE, TO EXECUTE AN ESTOPPEL AGREEMENT FOR THE CONTRACT OF SALE FOR PRIVATE REDEVELOPMENT AMONG THE CITY OF WHITE PLAINS, THE WHITE PLAINS URBAN RENEWAL AGENCY, AND WP NORTH TOWER LLC AND WP SOUTH TOWER LLC, THE SUCCESSORS TO LCOR 55 BANK STREET LLC WITH RESPECT TO 55 AND 57 BANK STREET, AS AMENDED, INCLUDING AUTHORIZING THE EXTENSION OF TIME TO MAY 5, 2023 TO INSTALL THE REMAINING PARKING STACKERS TO PROVIDE THE REQUIRED 570 PARKING SPACES FOR THE PROJECT
 - 2. **RESOLUTION 02-2023** - A RESOLUTION ESTABLISHING THE COMMUNITY DEVELOPMENT TITLE AND SALARY SCHEDULE FOR FISCAL YEAR JULY 1, 2023 to JUNE 30, 2024
- D. Other Business
- E. Adjournment

WHITE PLAINS URBAN RENEWAL AGENCY

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Special Meeting of the White Plains Urban Renewal Agency
Wednesday, November 15, 2022, 12:30 PM

MINUTES

Meeting Called to Order
Mayor Thomas Roach, Chairman
Time: 12:30 PM

1. Roll Call (Christopher N. Gomez called the roll)

<i>Thomas Roach</i>	<i>Dan Moriarty</i>	<i>John Martin</i>	<i>Walter Eddie</i>
<i>Present</i>	<i>Absent</i>	<i>Present</i>	<i>Present</i>

Staff Present: Christopher N. Gomez, Executive Director and Planning Commissioner; Arthur Gutekunst, Counsel; Kristi Knecht, Planning,

2. Minutes for the meeting held on August 10, 2022 were moved, seconded, and approved with the following votes:

Motion by	Seconded by	Votes	
		Yes	No
John Martin	Walter Eddie	3	0

3. Action Items

Chairman Roach introduced the following Action Item.

RESOLUTION 07-2022:

RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE CHAIRMAN, OR HIS DESIGNEE, TO EXECUTE AN OMNIBUS TERMINATION AGREEMENT RELATING TO THE PREMISES PREVIOUSLY KNOWN AS THE WHITE PLAINS MALL AT 200 HAMILTON AVENUE, AND NOW KNOWN AS UNIT 1 AND UNIT 2 OF THE HAMILTON GREEN CONDOMINIUM LOCATED AT 200 AND 250 HAMILTON AVENUE, WHITE PLAINS, NY was moved, seconded, and approved with the following votes:

Motion by	Seconded by	Votes	
		Yes	No
John Martin	Walter Eddie	3	0

The Board members discussed the Omnibus Termination Agreement with regard to the exemptions and the termination of restrictions and covenants listed in the contract of sale and deed between the URA and the current property owner (W.P. Mall Corp). City Counsel explained that the restrictions, conditions and covenants, and the termination thereof, is tied to the urban renewal plan, which has since expired. After an extensive search, the City could not locate a Certificate of Completion, to be issued following the construction of the now demolished White Plains Mall. Thus, this Omnibus Termination Agreement is necessary to facilitate a contract of sale

to develop a mixed use project known as Hamilton Green. The cited exemptions in the deed included a non-discrimination clause.

4. Other Business

None

5. Adjournment

Motion by	Seconded by	Votes	
		Yes	No
Walter Eddie	John Martin	3	0

The meeting was adjourned at 12:37 PM

Minutes Adopted:

DRAFT

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 01-2023

A RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE CHAIRMAN, OR HIS DESIGNEE, TO EXECUTE AN ESTOPPEL AGREEMENT FOR THE CONTRACT OF SALE FOR PRIVATE REDEVELOPMENT AMONG THE CITY OF WHITE PLAINS, THE WHITE PLAINS URBAN RENEWAL AGENCY, AND WP NORTH TOWER LLC AND WP SOUTH TOWER LLC, THE SUCCESSORS TO LCOR 55 BANK STREET LLC WITH RESPECT TO 55 AND 57 BANK STREET, AS AMENDED, INCLUDING AUTHORIZING THE EXTENSION OF TIME TO MAY 5, 2023 TO INSTALL THE REMAINING PARKING STACKERS TO PROVIDE THE REQUIRED 570 PARKING SPACES FOR THE PROJECT

WHEREAS, on August 1, 2022, WP North Tower LLC (“North Tower”) and WP South Tower LLC (“South Tower”) and LCOR 55 Bank Street LLC (“LCOR”) (collectively “the Redevelopers”) signed an estoppel certificate that granted an extension of time for all the parking stackers to be installed at 55 and 57 Bank Street to March 7, 2023; and

WHEREAS, by letter dated February 22, 2023 from their attorney, William S. Null of Cuddy & Feder, LLP, the Redevelopers requested an extension of time for the remaining stackers to be installed at 55 and 57 Bank Street until May 5, 2023; and

WHEREAS, as of February 22, 2023, the Redevelopers have completed the installation of 63 of 72 stackers needed to provide the required 570 parking spaces; and

WHEREAS, the White Plains Common Council voted unanimously, on March 6, 2023, to authorize the Mayor, or his designee, to sign such estoppel certificate and authorize an extension of time to May 5, 2023 for LCOR to install the remaining parking stackers; and

WHEREAS, executing such an estoppel certificate would be appropriate and in the best interests of the Agency to allow for the completion and continued operation of the Continuum project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Agency hereby determines that the requested extension of time to May 5, 2023, by the Redevelopers to install the remaining stackers to provide 570 parking spaces at the Continuum project site at 55 and 57 Bank Street, is appropriate.
2. The Chairman of the Agency, or his designee, is hereby authorized to execute an appropriate estoppel certificate among the City, the Agency and North Tower and South Tower as successors to LCOR in order to allow the Redevelopers to convert their construction mortgage into permanent financing.

3. This Resolution shall take effect immediately.

Dated: March 10, 2023

Adopted:

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 02-2023

RESOLUTION ESTABLISHING THE COMMUNITY DEVELOPMENT TITLE AND SALARY SCHEDULE FOR FISCAL YEAR JULY 1, 2023 to JUNE 30, 2024

WHEREAS:

- A. General Municipal Law (“GML”) Article 15 provides in the definition of urban renewal at Section 501.3, “a program established, conducted and planned by a municipality for the redevelopment, through clearance, re-planning, reconstruction, rehabilitation, and concentrated code enforcement, or a combination of these and other methods, of substandard and insanitary areas of such municipalities, and for recreation and other facilities incidental or appurtenant thereto . . .The terms ‘clearance, re-planning, reconstruction and rehabilitation’ shall include renewal, redevelopment, conservation, restoration or improvement or any combination thereof as well as relocation activities and the testing and reporting of methods and techniques for the arrest, prevention and elimination of slums and blight; the term ‘program’ may mean or include and be interchangeable with the term ‘project’”.
- B. Among its powers under GML Article 15-A, an urban renewal agency has the authority, pursuant to Section 554(7) “to appoint officers, agents and employees, prescribe their duties, fix their compensation and delegate to one or more of such officers, agents or employees such powers or duties as it may deem proper”.
- C. Among its powers under GML Article 15-A, an urban renewal agency has the further authority, pursuant to GML Section 554(8) “with the consent of the municipality to use agents, employees and facilities of the municipality, paying to the municipality its agreed proportion of the compensation or costs”.
- D. Further among its powers under GML Article 15-A, pursuant to GML Section 554(1) an urban renewal agency has the power “to cooperate with the federal government and apply for and accept advances, loans, grants, subsidies, contributions and any other form of financial assistance from the federal government, or from the state, county, municipality or other public body or from sources public or private, for the purposes of this article and article fifteen of this chapter”.
- E. Further among the purposes of an urban renewal agency under GML Article 15 and 15-A, pursuant to GML Section 554(16) is the power “to prepare or cause to be prepared a general neighborhood renewal plan for an area consisting of an urban renewal area or areas, together with any adjoining areas having specially related problems”.
- F. Pursuant to GML Section 554(7) and (11), and in cooperation with the City of White Plains (“City”) and the Federal Government, particularly the U.S. Department of Housing and Urban Development (“HUD”), the White Plains Urban Renewal Agency (“Agency”) with Community Development Block Grant Program grant funds directed to the Agency by the City, employs certain persons whose positions are directly involved in:

1. The preparation of general neighborhood renewal plans, pursuant to GML Section 554(16).
 2. The preparation of specific urban renewal plans, pursuant to GML Section 502.7.
 3. Implementing a program of rehabilitation and concentrated code enforcement in areas determined to be substandard and insanitary areas of the City, pursuant to GML Section 502.3.
 4. The review and implementation of certain public facility plans in substandard and insanitary areas, including the oversight of park improvements and historic buildings, pursuant to GML Section 502.3.
 5. Testing and reporting to the Agency and the City on methods and techniques for the arrest, prevention and elimination of slums and blight, pursuant to GML Section 502.3.
- G. Historically the Agency has, to the extent feasible and subject to funding availability, maintained parity of its Community Development funded employees with the City's Civil Service Employee's Association ("CSEA")-represented employees.
- H. Based on work undertaken by the Agency's Community Development funded employees, it is anticipated that, during its 2022-23 fiscal year the Agency staff will (1) continue to provide rehabilitation and housing assistance to low and moderate income families, (2) administer grants to public service agencies which provide services to low and moderate income families and the homeless, and (3) implement all other activities to achieve the goals and outcomes of the 2020-2024 Consolidated Plan, as specified in the document. It is anticipated that the 2023-24 Annual Action Plan will contain these activities as well.
- I. To undertake this workload for 2023-2024 within the funding availability of the Community Development Block Grant Program and the Federal program regulations therefor, the Executive Director has presented to the Agency a new Position Title and Salary Schedule for fiscal year 2023-24 for Agency employees to be effective July 1, 2023 (Exhibit A).
- J. The Agency has reviewed the proposed 2023-24 Community Development Program Position Title and Salary Schedule and have reviewed the Community Development Program funding and regulations with regard to the funding allocations.

NOW, THEREFORE, BE IT RESOLVED:

1. The Agency hereby finds that:
 - a. The continued employment of Agency employees funded by the Community Development Program to assist the Agency in the carrying out of its program of urban renewal pursuant to GML Articles 15 and 15-A at the highest level for the residents of White Plains is necessary and in the public interest;
 - b. Federal funding through the Community Development Program for Agency employees for fiscal year 2023-24 is expected to be available from HUD at the current level of appropriation, subject to HUD regulations and continued approval of the Community Development Block Grant Program Budget by the Common Council
2. The Agency hereby approves the 2023-24 Community Development Program Position Title and Salary Schedule in its entirety, effective July 1, 2023 as attached hereto as Exhibit A and made a part hereof.
3. The Agency hereby determines that all personnel costs shall be allocated and charged to the Community Development according to the percentage of salary allocation shown in Exhibits A hereof.
4. This Resolution shall take effect July 1, 2023.

Dated: March 10, 2023

Adopted:

Exhibit A
WHITE PLAINS URBAN RENEWAL AGENCY
Community Development Program
POSITION TITLE AND SALARY SCHEDULE
Effective July 1, 2023

FULL TIME POSITIONS			
Position Title	Funding Source	Grade/Step	Annual Salary
Rehabilitation Officer	CD 005 - 100%	12/5	Up to \$74,821
Community Development Assistant	CD 090 – 30% CD 005 - 70%	10/7	Up to \$20,188 Up to \$47,106
Neighborhood Conditions Coordinator	CD 090 – 30% CE 314 – 70%	10/12	Up to \$21,734 Up to \$50,712
PART TIME POSITIONS			
Position Title	Funding Source	Grade/Step	Annual Salary
PT Rehabilitation Program Representative	CD 005	Hourly	\$30/hour, up to an annual maximum of \$10,000
PT Code Enforcement Officer(s)	CE 314	Hourly	Up to \$37.50/hour, up to an annual maximum of \$19,500 each
PT CD Analyst	CD 090	Hourly	Up to \$30/hour up to an annual maximum of \$24,000
PT Clerk	CD 005	Hourly	Up to \$20/hour, up to an annual maximum of \$24,000