



**COMMON COUNCIL  
AGENDA  
REGULAR STATED MEETING  
APRIL 1, 2019  
7:30 PM**

**PLEDGE TO THE FLAG:** Hon. Nadine Hunt-Robinson

**ROLL CALL:** City Clerk

**RECOGNITION:** Community Development Block Grant Program  
National Community Development Week  
April 22, 2019 to April 26, 2019

**APPOINTMENTS:**

1. Communication from the Mayor in relation to the appointment of Eleanor Barnea and Jessica Osorio as Youth Members of the Youth Board to terms which will expire on December 31, 2020.

**LOCAL LAWS:**

2. Public Hearing in relation to a proposed amendment to the Municipal Code by amending Title IX, Sections 9-6-3 and 9-6-7 of the White Plains Municipal Code entitled "Historic Preservation."
3. Introductory Local Law No. 2 of 2019. A Local Law amending Title IX of the White Plains Municipal Code by amending Sections 9-6-3 and 9-6-7 of the White Plains Municipal Code entitled "Historic Preservation."

**ADJOURNED**

**PUBLIC HEARINGS:**

4. 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.

5. Public Hearing in relation to an application submitted on behalf of N.P. RPW Westchester JV LLC, for a Zoning Map Amendment and site plan approval 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.
6. Communication from City Clerk

### **PUBLIC HEARING:**

7. Public Hearing in relation to a petition to amend the Zoning Ordinance submitted on behalf of 37 DeKalb Owner, LLC, to establish a new Special Permit Use in the R2-2.5 District to permit the adaptive reuse of 37 DeKalb Avenue (a former nursing home) for 21 multi-family rental units.

### **FIRST READING ORDINANCES:**

8. Communication from Corporation Counsel in relation to a proposed amendment to the White Plains Municipal Code entitled “Telecommunications Franchises and Licensing”, to add a new provision 4-23-6, regarding the design guidelines for small wireless facilities.
9. Ordinance to amend the Chapter 4-23 of the White Plains Municipal Code entitled “Telecommunications Franchises and Licensing”, to add a new provision 4-23-6, regarding the design guidelines for small wireless facilities.
10. Communication from Corporation Counsel in relation to an amendment to a license agreement between the City and Metro North Commuter Railroad Company in relation to construction activities for the renovation of the White Plains Metro North Railroad Station, and authorizing certain permanent easements to Metro North Commuter Railroad Company related to the renovation.
11. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into an amended license agreement between the City of White Plains and Metro North Commuter Railroad Company related to construction activities for the renovation of the White Plains Railroad Station, and to authorize the City to grant certain permanent easements to Metro North Commuter Railroad Company related to the renovation.

12. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5538, "Garage Elevator Modernization FY 2019."
13. Communication from Environmental Officer
14. Environmental Findings Resolution
15. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5538, entitled "Garage Elevator Modernization FY 2019."
16. Bond Ordinance dated April 1, 2019, authorizing the issuance of \$1,212,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the costs of the installation or reconstruction of an elevator system in a municipal garage.
17. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5539, "Oxford Road Reconstruction."
18. Communication from Environmental Officer
19. Environmental Findings Resolution
20. Ordinance of the Common Council of the City of White Plains to amend the Capital Project Fund by establishing Capital Project No. C5539, entitled Oxford Road Reconstruction.
21. Bond Ordinance dated April 1, 2019, authorizing the issuance of \$1,060,500 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 streets.
22. Communication from Commissioner of Public Works in relation to the closure of certain City streets and appropriate parking restrictions for special events and celebrations taking place in 2019.
23. Ordinance of the Common Council of the City of White Plains authorizing the closure of certain portions of public streets for certain events and celebrations taking place in 2019.
24. Communication from the Commissioner of Public Works in relation to the renewal of an Inter-municipal Agreement with the County of Westchester for the Organic Yard Waste Transfer Program.
25. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into a renewal of a five year Inter-municipal Agreement ("IMA") with the County of Westchester for the Organic Yard Waste Transfer Program.

26. Communication from the Mayor with regard to three separate stipulations of agreement, extending for three years, the collective bargaining agreements for the Police Benevolent Association, the Civil Service Employees Association, and the International Brotherhood of Teamsters.
27. Ordinance of the Common Council of the City of White Plains approving and ratifying the February 22, 2019 Stipulation of Agreement between the negotiating representatives of the City of White Plains and the Police Benevolent Association of the City of White Plains, Inc., authorizing the Mayor to direct the Budget Director to transfer the necessary funds from the Reserve for Financing to fund the increased payments under the Agreement, and the Commissioner of Finance to start payments under the Agreement, and authorizing the Mayor to enter into a Collective Bargaining Agreement containing the terms of the February 22, 2019 Stipulation of Agreement.
28. Ordinance of the Common Council of the City of White Plains approving and ratifying the March 8, 2019 Stipulation of Agreement between the negotiating representatives of the City of White Plains and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, for the City of White Plains Unit; authorizing the Mayor to direct the Budget Director to transfer the necessary funds from the Reserve for Financing to fund the increased payments under the Agreement; and the Commissioner of Finance to start payments under the Agreement, and authorizing the Mayor to enter into a Collective Bargaining Agreement containing the terms of the March 8, 2019 Stipulation of Agreement.
29. Ordinance of the Common Council of the City of White Plains approving and ratifying the March 15, 2019 Stipulation of Agreement between the negotiating representatives of the City of White Plains and Local 456, I.B.T.; authorizing the Mayor to direct the Budget Director to transfer the necessary funds from the Reserve for Financing to fund the increased payments under the Agreement; and the Commissioner of Finance to start payments under the Agreement, and authorizing the Mayor to enter into a Collective Bargaining Agreement containing the terms of the March 15, 2019 Stipulation of Agreement.
30. Communication from the Mayor in relation to the appointment of Corporation Counsel and Chief of Staff John G. Callahan as Acting City Clerk in the event of the temporary absence of the City Clerk.
31. 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.
32. Communication from the Budget Director in relation to a transfer of funds from Reserve for Financing to replace a Sand Pro Tractor, in the Department of Public Works.

33. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to direct the Budget Director to transfer funds for the Department of Public Works to replace a Sand Pro Tractor and amend the Fiscal Year 2018-2019 General Fund Budget.
34. Communication from Deputy Commissioner of Public Safety in relation to a three year agreement with Empress Ambulance Service, Inc., to provide ambulance services for the City.
35. 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 July 1, 2019 to June 30, 2022, with the City holding an option for two one year renewals thereafter.
36. Communication from Commissioner of Recreation and Parks in relation to a revocable license agreement between the City and 707/709 Westchester Avenue Owner SPE LLC, for use of its parking lots in connection with the City of White Plains Independence Day Fireworks Display.
37. Ordinance authorizing the Mayor to enter into a revocable license agreement with 707/709 Westchester Avenue Owner SPE LLC for use of its parking lots in connection with the City of White Plains Fireworks Display.
38. Communication from Commissioner of Recreation and Parks in relation to a contact with the County of Westchester to accept grant funds to provide nutrition site transportation and supportive services to elderly residents of the City of White Plains.
39. Ordinance authorizing the Mayor, or his designee, to enter into a contract with the County of Westchester to accept grant funds awarded to the County by the New York State Office for the Aging pursuant to Title III-B of the Older Americans Act, to provide nutrition site transportation and supportive services to elderly residents of the City of White Plains.
40. Communication from Commissioner of Recreation and Parks in relation to an agreement between the City and Executive Refreshments, Inc., for placement of two vending machines at the baseball fields at Gillie Park.
41. Ordinance authorizing the Mayor, or his designee, to execute an agreement on behalf of the City of White Plains with Executive Refreshments, Inc., for the placement of two vending machines at the baseball fields at Gillie Park.

42. Communication from the Director, Youth Bureau, in relation to a contract with Westchester County and to accept an award from the Invest in Kids Program, to be used to continue the Step Up! Program.
43. Ordinance authorizing the Mayor, or his designee, to enter into a contract with Westchester County Invest In Kids Program on behalf of the City of White Plains (through its Youth Bureau) to be used to continue the Step Up! Program for the period of January 1, 2019 through December 31, 2019, and to amend the FY 2018-2019 Youth Development Fund to reflect said award.
44. Communication from Director, Youth Bureau, in relation to a contract with Westchester County to accept an award from the Invest In Kids Program, to be used to continue the Higher Aims Program.
45. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into a contract with Westchester County to accept an award from the Westchester County Invest In Kids Program on behalf of the City of White Plains (through its Youth Bureau), to be used to continue the Higher Aims Program, and to authorize the Budget Director to amend the FY 2-018-2019 Youth Development Fund to reflect this award.
46. Communication from Director, Youth Bureau, in relation to a contract Westchester County to accept an award from the Invest In Kids Program to be used to continue the Healthy & Fit for Life Program.
47. Ordinance of the Common Council of the City of White Plains, authorizing the Mayor, or his designee, to enter into a contract with Westchester County to accept an award from the Westchester County Invest In Kids Program on behalf of the City of White Plains (through its Youth Bureau), to be used to continue the Healthy and Fit for Life Program for the period January 1, 2019 through December 31, 2019, and to amend the FY 2018-2019 Youth Development Fund to reflect said award.
48. Communication from Deputy Commissioner of Parking in relation to the transfer of funds from Reserve for Financing for emergency repairs at the intersection of North Broadway and Hamilton Avenue.
49. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to direct the Budget Director to transfer funds for the Department of Parking and amend the Fiscal Year 2018-2019 General Fund Budget.

## **RESOLUTIONS:**

50. Communication from Corporation Counsel in relation to the scheduling of a public hearing for May 6, 2019 in relation to a proposed amendment to the Zoning Ordinance definition of "Recreation Facilities" to include "Electronic Games," Laser Tag, Esports, and Virtual Reality Games/Rides; and allow commercial indoor "Recreation Facilities" as a Permitted Principal Use in the B-6 Zoning District.
51. Communication from Planning Board
52. Communication from the City Clerk.
53. Resolution of the Common Council of the City of White Plains noticing a public hearing for May 6, 2019 in relation to an ordinance amending an ordinance, entitled "The Zoning Ordinance of the City of White Plains" in relation to: amending Section 2 - Definitions to amend the definition of "Recreation Facilities" to include "Electronic Games"; and amending Section 5.1 Schedule of Use Regulations to allow commercial indoor "Recreation Facilities" as a Permitted Principal Use in the B-6 Zoning District; and amending 5.2 List of Use Regulations at B-6 to reflect this change.
54. Communication from Corporation Counsel scheduling a public hearing for May 6, 2019, in relation amending the Zoning Ordinance in relation to amending Section 10.4.4, Notice of Hearing Before the Board, and Section 12.7, Notice of Hearing, to require posting of signage noticing a public hearing on a subject property.
55. Communication from Planning Board.
56. Communication from the City Clerk.
57. Resolution of the Common Council of the City of White Plains noticing a public hearing for May 6, 2019 in relation to an ordinance amending an ordinance entitled "The Zoning Ordinance of the City of White Plains" in relation to amending Section 10.4.4, Notice of Hearing Before the Board, and Section 12.7, Notice of Hearing to require posting of signage noticing a public hearing on a subject property.
58. Communication from Corporation Counsel scheduling a public hearing for May 6, 2019 in relation to the adoption of the new Affordable Housing Rental Program (ARHP) Regulations and amending certain sections of the Zoning Ordinance regarding Affordable Housing.
59. Communication from Planning Board
60. Communication from the City Clerk.

61. Resolution of the Common Council of the City of White Plains noticing a public hearing for May 6, 2019, in relation to an ordinance amending an ordinance entitled "The Zoning Ordinance of the City of White Plains" in relation to references to Affordable Housing.
62. Communication from the Budget Director in relation to the scheduling of a public hearing for May 6, 2019, on the Tax Budget of the City of White Plains Fiscal Year 2019-2020.
63. Resolution of the Common Council of the City of White Plains in relation to setting a public hearing for Fiscal Year 2019-2020 Budget.
64. Communication from Corporation Counsel in relation to the approval of the White Plains Housing Authority's Sale of Project in order to obtain federal benefits to maintain low income housing.
65. Resolution of the Common Council of the City of White Plains approving the White Plains Housing Authority's Sale of Project in order to obtain federal benefits to maintain low income housing.

**ITEMS FOR REFERRAL:**

66. Communication from Commissioner of Building in relation to an application submitted on behalf of Mount Hope A.M.E. Zion Church, requesting a extension of a previously approved site plan and special permit for the development of a new senior residence apartment building and an addition to the Church located at 65 Lake Street.
67. Communication from Commissioner of Building in relation to an application submitted on behalf of The Esplanade of White Plains Venture Partnership for a site plan extension for the adaptive reuse of two buildings located at 95 South Broadway and 4 Lyon Place.
68. Communication from Commissioner of Building in relation to an application submitted on behalf of Saber Chauncey WP, LLC for a site plan extension on a previously approved site plan approval and special permit for a mixed use development known as The Collection to be located on Westchester and Franklin Avenues.