



**COMMON COUNCIL AGENDA  
REGULAR STATED MEETING  
August 1, 2022  
7:30 PM**

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

**ROLL CALL:** City Clerk

**PUBLIC HEARING:**

**MARTIN  
BRASCH**

1. Communication from the City Clerk transmitting correspondence from DelBello Donnellan Weingarten Wise & Wiederkehr, LLP on behalf of Voda Solar Resource LLC requesting an adjournment of the hearing pertaining to the requested amendment to an approved site plan and associated planned campus development master plan at 1133 Westchester Avenue. **F/S**
2. Public Hearing in relation to an application submitted on behalf of Voda Solar Resources LLC for an amendment to an approved site plan and associated planned campus development at 1133 Westchester Avenue, White Plains NY. **ADJOURNED TO OCTOBER 3, 2022**

**BRASCH  
HUNT-ROBINSON**

3. Communication from the City Clerk transmitting correspondence from Zarin & Steinmetz on behalf of TB White Plains Apartments LLC., requesting an adjournment of the hearing pertaining to an application requesting an requesting an amendment of the Site Plan and Special Permit for a mixed-use project at 80 Westchester Avenue (aka "Adora Row") **F/S**
4. Public Hearing in relation to an application submitted on behalf of TB White Plains Apartments LLC., for an extension of the Site Plan and Special Permit Approval for their mixed-use project at 80 Westchester Avenue (aka "Adora Row"). **ADJOURNED TO SEPTEMBER 6, 2022**

**HUNT-ROBINSON  
PUJA**

5. Public Hearing in relation to an application submitted for a special permit for outdoor dining at Archie Grand located at 166B Mamaroneck Avenue. **ADJOURNED TO SEPTEMBER 6, 2022**

**ITEMS 5-14 F/S**

- |     |                            |                                |
|-----|----------------------------|--------------------------------|
| 6.  | <u>Communications</u> from | Commissioner of Building       |
| 7.  |                            | Design Review Board            |
| 8.  |                            | Commissioner of Planning       |
| 9.  |                            | White Plains Planning Board    |
| 10. |                            | Commissioner of Public Safety  |
| 11. |                            | Commissioner of Public Works   |
| 12. |                            | Deputy Commissioner of Parking |
| 13. |                            | Transportation Commission      |
| 14. |                            | Commissioner of Parking        |
| 15. |                            | Environmental Officer          |

16. Environmental Findings Resolution **TABLED**

17. Resolution of the Common Council of the City of White Plains granting the application made on behalf of Archie Grand for a Special Permit to allow outdoor dining at 166B Mamaroneck Avenue. **TABLED**

**PUJA  
PAYNE**

18. Public Hearing in relation to an application submitted on behalf of Sundance Kitchen and Cantina for outdoor dining located at 208 Mamaroneck Avenue. **ADJOURNED TO SEPTEMBER 6, 2022**

**ITEMS 18-27 F/S**

- |     |                            |                                |
|-----|----------------------------|--------------------------------|
| 19. | <u>Communications</u> from | Commissioner of Building       |
| 20. |                            | Design Review Board            |
| 21. |                            | Commissioner of Planning       |
| 22. |                            | White Plains Planning Board    |
| 23. |                            | Commissioner of Public Safety  |
| 24. |                            | Commissioner of Public Works   |
| 25. |                            | Deputy Commissioner of Parking |
| 26. |                            | Transportation Commission      |
| 27. |                            | Commissioner of Parking        |
| 28. |                            | Environmental Officer          |

29. Environmental Findings Resolution **TABLED**

30. Resolution of the Common Council of the City of White Plains granting the application made by Genaro Dominguez on behalf of Sundance Kitchen and Cantina for a Special Permit to allow Outdoor Dining at 208 Mamaroneck Avenue. **TABLED**

**PAYNE  
PRESSER**

31. Public Hearing in relation to an application submitted on behalf of Cantina Taqueria and Tequila Bar for a special permit to operate an accessory cabaret at property located at 166A Mamaroneck Avenue. **ADJOURNED TO SEPTEMBER 6, 2022**

**ITEMS 31-40 F/S**

32. Communications from Commissioner of Building  
33. Design Review Board  
34. Commissioner of Planning  
35. White Plains Planning Board  
36. Commissioner of Public Safety  
37. Commissioner of Public Works  
38. Deputy Commissioner of Parking  
39. Transportation Commission  
40. Commissioner of Parking  
41. Environmental Officer

42. Environmental Findings Resolution **TABLED**

43. Resolution of the Common Council of the City of White Plains approving the application submitted on behalf of Cantina Taqueria and Tequila Bar for a Special Permit to Operate an Accessory Cabaret at 166A Mamaroneck Avenue. **TABLED**

**SECOND READING  
ORDINANCES:**

**MARTIN  
PRESSER**

44. Communication from the Commissioner of Building in relation to the proposed amendment to the Zoning Ordinance with respect to Solar Energy Systems. **F/S**

**ITEMS 44-54A F/S**

45. Communications from Design Review Board  
46. Planning Board  
47. Commissioner of Public Safety  
48. Commissioner of Public Works  
49. Deputy Commissioner Parking  
50. Transportation Commission  
51. Commissioner of Parking  
52. Westchester County Planning Board  
53. Environmental Office  
54. Commissioner of Planning

- 54a. Proposed modifications to the amendment to the Zoning Ordinance with respect to Solar Energy Systems. **F/S**

55. Environmental Findings Resolution **ADOPTED**

**MARTIN  
PRESSER**

56.            Ordinance amending "The Zoning Ordinance of the City of White Plains" with respect to Solar Energy Regulations. **ADOPTED 7-0**

**FIRST READING  
ORDINANCES:**

**MARTIN  
BRASCH**

57.            Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5603, entitled "Library Building Exterior Rehabilitation." **F/S**
58.            Communication from the Environmental Officer. **F/S**
59.            Environmental Findings Resolution **ADOPTED**
60.            Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No.C5603, entitled "Library Building Exterior Rehabilitation." **ADOPTED 7-0**
61.            Bond Ordinance, dated August 1, 2022, 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 construction or reconstruction of City-owned buildings. **ADOPTED 7-0**

**BRASCH  
HUNT-ROBINSON**

**ITEMS 62-66  
TABLED**

62.            Communication from Chairman, Capital Projects Board, in relation to Capital Project No.C5602, entitled " Delfino Park Improvements."
63.            Communication from the Environmental Officer.
64.            Environmental Findings Resolution
65.            Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5602, entitled "Delfino Park Improvements."
66.            Bond Ordinance, dated August 1, 2022, authorizing the issuance of \$71,000 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, construction and/or reconstruction of park and recreational areas.

**HUNT-ROBINSON  
PUJA**

67. Communication from Chairman, Capital Projects Board, in relation to Capital Project No.SW5604, entitled "Miscellaneous Sanitary Sewer Reconstruction FY23." **F/S**
68. Communication from the Environmental Officer. **F/S**
69. Environmental Findings Resolution **ADOPTED**
70. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project "No.SW5604, entitled "Miscellaneous Sanitary Sewer Reconstruction FY23." **ADOPTED 7-0**
71. Bond Ordinance, dated August 1, 2022, 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 improvements to the City's sanitary sewer system. **ADOPTED 7-0**

**PUJA  
PAYNE**

72. Communication from the Corporation Counsel in relation to executing 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 White Plains South Tower LLC, as the successors to LCOR 55 Bank Street LLC with respect to 55 and 57 Bank Street, as amended. **F/S**
73. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, 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 White Plains South Tower LLC, as the successors to LCOR 55 Bank Street LLC with respect to 55 and 57 Bank Street, as amended. **ADOPTED 7-0**

**PAYNE  
PRESSER**

74. Communication from the Corporation Counsel in relation to settling certain tax review proceedings. **F/S**
75. Ordinance authorizing the settlement of certain tax review proceedings.

**PRESSER  
MARTIN**

76. Communication from the Corporation Counsel in relation to authorizing an agreement to subordinate the PILOT mortgage among the County of Westchester Industrial Development Authority, GS White Plains Owner, LLC and the City as Mortgagee with respect to a utility easement to be granted by GS White Plains Owner, LLC to Consolidated Edison Company of New York, Inc. on their property at 25 North Lexington Avenue. **ADOPTED 7-0**

77. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into an agreement to subordinate the PILOT mortgage among the County of Westchester Industrial Development Authority, GS White Plains Owner, LLC and the City as Mortgagee with respect to a utility easement to be granted by GS White Plains Owner, LLC to Consolidated Edison Company of New York, Inc. on their property at 25 North Lexington Avenue. **ADOPTED 7-0**

**MARTIN  
BRASCH**

78. Communication from Commissioner of Public Safety accepting a 2022 Livescan Equipment Program grant in the amount of \$15,000 for the purchase and installation of a digital Livescan Fingerprinting Processing System. **F/S**

79. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to execute all documents required in connection with the acceptance of a grant for Livescan Equipment in the amount of \$15,000 from New York State and to direct the Budget Director to amend the FY 2022-2023 Public Safety grant fund to reflect the receipt and appropriation of these grant funds. **ADOPTED 7-0**

**BRASCH  
HUNT-ROBINSON**

80. Communication from Commissioner of Public Works in relation to the closure of portions of Public Streets for various events and celebrations taking place in 2022. **F/S**

81. Ordinance of the Common Council of the City of White Plains authorizing the closure of portions of Public Streets for various events and celebrations taking place in 2022. **ADOPTED 7-0**

**HUNT-ROBINSON  
PUJA**

82. Communication from Commissioner of Public Works in relation to temporarily amending the White Plains Municipal Code Section 7-9-3, Sidewalk Cafés. **F/S**

83. Ordinance of the City of White Plains temporarily amending the White Plains Municipal Code Section 7-9-3, Sidewalk Cafés. **ADOPTED 7-0**

**PUJA  
PAYNE**

84. Communication from the Director of the Youth Bureau in relation to a contract with Pahwa LLC to provide the Youth Bureau's Community Needs Assessment for the Infrastructure Enhancement & Needs Assessment grant. **F/S**

85. Ordinance of the Common Council of the City of White Plains authorizing the Youth Bureau to enter into a contract with Pahwa LLC to provide consulting services. **ADOPTED 7-0**

**PAYNE  
PRESSER**

86. Communication from Director of the Youth Bureau in relation to approving the Youth Bureau's Before School Program for the 2022/23 school year. **F/S**

87. Ordinance of the Common Council of the City of White Plains approving the Youth Bureau's Before School Program for the 2022/23 school year.  
**ADOPTED 7-0**

**PRESSER  
MARTIN**

88. Communication from the Director of the Youth Bureau authorizing an agreement to receive \$16,954 in grant funding from the Westchester County Youth Bureau to support the 2022 Summer Youth Employment Program. **F/S**

89. Ordinance authorizing the City of White Plains to receive a grant and enter into an agreement with the County of Westchester to fund the Youth Bureau's 2022 Summer Youth Employment Program and to authorize the Budget Director to amend the FY 2022/23 Youth Development Fund to reflect this grant.  
**ADOPTED 7-0**

**MARTIN  
BRASCH**

90. Communication from the Budget Director requesting authorization to transfer funds and amend department budgets as part of the year end close of Fiscal Year **F/S**

91. Ordinance of the Common Council of the City of White Plains to transfer funds and amend department budgets as part of the year end close of Fiscal Year 2021-2022. **ADOPTED 7-0**

**BRASCH  
HUNT-ROBINSON**

92. Communication from the Budget Director recommending the transfer of \$1,000,000 from the General Fund Reserve for financing to the Self Insurance Fund to increase the reserves for liability claims. **F/S**
93. Ordinance Authorizing the transfer of funds from the 2021-2022 General Fund Reserve for financing and to amend the Self Insurance Fund as part of the Year End Close of Fiscal Year 2021-2022. **ADOPTED 7-0**

**HUNT-ROBINSON  
PUJA**

94. Communication from the Budget Director authorizing the transfer of funds for the estimated outstanding union contract accruals. **F/S**
95. Ordinance of the Common Council of the City of White Plains authorizing the Mayor to direct the Budget Director to make the necessary budget amendments and to transfer from the General, Library, Sewer Rent and Water Fund Reserves for financing to appropriate expense codes, an amount up to \$1,413,684, to record accrued liabilities. **ADOPTED 7-0**

**PUJA  
PAYNE**

96. Communication from the Commissioner of Purchase to accept a donation of furniture. **F/S**
97. Ordinance of the Common Council of the City of White Plains authorizing the Mayor to accept on behalf of the City of White Plains a donation of office furniture. **ADOPTED 7-0**

**RESOLUTIONS:**

**PAYNE  
PRESSER**

98. Communication from the Mayor requesting to schedule a Public Hearing for September 6, 2022 in relation to a Local Law amending Chapter 3-7 of the White Plains Municipal Code, Community Choice Aggregation (Energy) Program. **F/S**
99. Local Law Introductory No. 1 of 2022. A Local Law to amend the Community Choice Aggregation (Energy) Program. **OFFER ONLY**
100. Resolution of the Common Council of the City of White Plains, noticing a Public Hearing for September 6, 2022 in relation to a Local Law amending Chapter 3-7 of the White Plains Municipal Code, Community Choice Aggregation (Energy) Program. **ADOPTED**



**PRESSER  
MARTIN**

101. Communication from the Deputy Commissioner of Planning requesting authorization to enter into an agreement to extend the closing date of the New York State Affordable Home Ownership Development Program grant from the New York State Affordable Housing Corporation. **F/S**

102. Resolution of the Common Council of the City of White Plains, New York authorizing the Mayor, or his designee, to enter into an agreement to extend the closing date of the NYS Affordable Home Ownership Development Program Grant from the NYS Affordable Housing Corporation. **ADOPTED**

**MARTIN  
BRASCH**

103. Communication from Commissioner of Building in relation to an application submitted by Bleakley, Platt and Schmidt LLP on behalf of 10 DeKalb, LLC, the owner of 10 DeKalb Avenue for an application for an amendment to the previous site plan approval which was originally granted in 2013. **F/S**

**ITEM 102-111 F/S**

104.	<u>Communications</u> from	Design Review Board
105.		Commissioner of Planning
106.		White Plains Planning Board
107.		Commissioner of Public Safety
108.		Commissioner of Public Works
109.		Deputy Commissioner of Parking
110.		Transportation Commission
111.		Commissioner of Parking
112.		Westchester County Planning
113.		Environmental Officer

114. Environmental Findings Resolution **ADOPTED**

115. Resolution of the Common Council of the City of White Plains approving the application for the project known as La Gianna, submitted on behalf of 10 DeKalb Ave., LLC, for an amendment to an approved site plan to renovate and update an exterior recreation terrace at property known as 10 DeKalb Avenue. **ADOPTED**

## ITEMS FOR REFERRAL:

### BRASCH HUNT-ROBINSON

116. Communication from Commissioner of Building in relation to an application submitted on behalf of 20 Haarlem Avenue, 27 Holland Avenue and 7-11 Holland Avenue for an extension to Site Plan Approval associated with the redevelopment of that property. **Filed and spread and referred to Law, Building Department, Design Review Board, Planning Department, Planning Board, Public Safety, Public Works, Traffic Division, Transportation Commission, Parking Department, Environmental Officer.**
117. Communication from Commissioner of Building in relation to an application submitted by 37 DeKalb Owner, LLC, for an extension of the Site Plan Approval associated with the redevelopment project at 37 DeKalb Avenue. **Filed and spread and referred to Law, Building Department, Design Review Board, Planning Department, Planning Board, Public Safety, Public Works, Traffic Division, Transportation Commission, Parking Department, Environmental Officer.**