



**COMMON COUNCIL
AGENDA
REGULAR STATED MEETING
September 6, 2022
7:30 PM**

PLEDGE TO THE FLAG

Hon. Jennifer Puja

ROLL CALL:

City Clerk

**MARTIN
BRASCH**

APPOINTMENTS:

1. Appointment of Angela Sapienza as the Personnel Officer. **F/S**
2. Appointment of Mariam Elgueta as the Climate Smart Coordinator. **F/S**
3. Appointment of members to the Climate Smart Community Task Force. **F/S**
4. Appointment of James Laterza to the Sustainability Committee. **F/S**

PUBLIC HEARING:

**BRASCH
HUNT-ROBINSON**

5. Public Hearing in relation to a Local Law amending Chapter 3-7 of the White Plains Municipal Code, Community Choice Aggregation (Energy) Program. **OPEN/CLOSED**
6. Local Law Introductory No. 1 of 2022. A Local Law amending Chapter 3-7 of the White Plains Municipal Code, Community Choice Aggregation (Energy) Program. **ADOPTED**

**HUNT-ROBINSON
PUJA**

7. 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 amendment to an approved Site Plan and Special Permit for a mixed-use project at 80 Westchester Avenue (aka "Adora Row"). **F/S**

8. Public Hearing in relation to an application submitted on behalf of TB White Plains Apartments LLC for an amendment to an approved Site Plan and Special Permit for a mixed-use project at 80 Westchester Avenue (aka "Adora Row"). **(TO BE ADJOURNED TO October 3, 2022)**

**PUJA
PAYNE**

9. Public Hearing in relation to an application submitted for a special permit for outdoor dining at Archie Grand located at 166B Mamaroneck Avenue.

OPEN/CLOSED

10. Environmental Findings Resolution **ADOPTED**

11. Resolution of the Common Council of the City of White Plains granting the application made by Declan Rainsford on behalf of Archie Grand for a special permit to allow outdoor dining at 166B Mamaroneck Avenue.

ADOPTED

**PAYNE
PRESSER**

12. Public Hearing in relation to an application for a special permit submitted on behalf of Sundance Kitchen and Cantina for outdoor dining located at 208 Mamaroneck Avenue. **OPEN/CLOSED**

13. Environmental Findings Resolution **ADOPTED**

14. 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. **ADOPTED**

**PRESSER
MARTIN**

15. 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. **OPEN/CLOSED**

16. Environmental Findings Resolution **ADOPTED**

17. 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. **ADOPTED**

FIRST READING

ORDINANCES:

**MARTIN
BRASCH**

18. Communication from the Mayor extending the authority to give compensatory benefits to employees who are called to active duty as a result of former President Bush's Executive Order 13223, or were compelled to perform duties in response to the terrorist attacks of September 11, 2001. **F/S**

19. Ordinance amending an ordinance granting compensatory benefits to City Officers and employees who are members of the Armed Forces Reserves and who are ordered to Active Military Duty pursuant to Executive Order 13223 signed by the President of the United States on September 14, 2001, or other duty compelled by Federal or State Law related to the terrorist attacks of September 11, 2001 to extend the ordinance another year. **ADOPTED**

**BRASCH
HUNT-ROBINSON**

20. Communication from the Chairman, Capital Projects Board, in relation to Capital Project No. C5602 entitled "Delfino Park Improvements FY23." **F/S**

21. Communication from the Environmental Officer. **F/S**

22. Environmental Findings Resolution **ADOPTED**

23. 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 FY23."

**HUNT-ROBINSON
PUJA**

24. Communication from the Chairman, Capital Projects Board, in relation to Capital Project No.C5605, entitled "Battle Hill Passive Park." **F/S**

25. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5605, entitled "Battle Hill Passive Park." **ADOPTED 7-0**

**PUJA
PAYNE**

26. Communication from the Chairman, Capital Projects Board, in relation to Capital Project No. C5606, entitled "Veterans Memorial Garden." **F/S**
27. Communication from the Environmental Officer. **F/S**
28. Environmental Findings Resolution
29. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5606, entitled "Veterans Memorial Garden." **ADOPTED 7-0**

**PAYNE
PRESSER**

30. Communication from the Corporation Counsel in relation to the settlement of certain tax review proceedings. **F/S**
31. Ordinance authorizing the settlement of certain tax review proceedings. **ADOPTED 7-0**

**PRESSER
MARTIN**

32. Communication from the Corporation Counsel in relation to agreements in connection with the use by the City of locations and facilities that are owned by the White Plains City School District. **F/S**
33. Ordinance authorizing the City to file applications and enter into agreements in connection with the use by the City of locations and facilities that are owned by the White Plains City School District. **ADOPTED 7-0**

**MARTIN
BRASCH**

34. Communication from the Corporation Counsel in relation to an amendment to modify the term of a license agreement with the County of Westchester acting by and through Westchester Community College for use of certain space at the White Plains Education and Training Center through July 31, 2023. **F/S**
35. Ordinance authorizing the Mayor or his designee to sign an amendment to modify the term of a license agreement with the County of Westchester acting by and through Westchester Community College for use of certain space at the White Plains Education and Training Center through July 31, 2023. **ADOPTED 7-0**

**BRASCH
HUNT-ROBINSON**

36. Communication from the Commissioner of Public Works in relation to an Ordinance amending Title VII of the Municipal Code of the City of White Plains

by adding new provisions to Section 7.7.6 pertaining to sewers and drains. **F/S**

37. Ordinance amending Title VII of the Municipal Code of the City of White Plains pertaining to sewers and drains to add new provisions to Section 7.7.6. **ADOPTED 7-0**

**HUNT-ROBINSON
PUJA**

38. Communication from the Commissioner of Public Safety in relation to accepting a grant in the amount of \$35,360 from the New York State Governor's Traffic Safety Committee to reduce dangerous driving behaviors and increase seatbelt usage. **F/S**

39. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to execute all documents required to accept a grant in the amount of \$35,360 from the New York State Governor's Traffic Safety Committee to reduce dangerous driving behaviors and increase seatbelt usage. **ADOPTED 7-0**

**PUJA
PAYNE**

40. Communication from the Commissioner of Public Safety in relation to accepting a Pedestrian Safety Initiative Grant in the amount of \$15,500 from the New York State Governor's Traffic Safety Committee. **F/S**

41. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to execute all documents required to accept a Pedestrian Safety Initiative Grant in the amount of \$15,500 from the New York State Governor's Traffic Safety Committee. **ADOPTED 7-0**

**PAYNE
PRESSER**

42. Communication from the Commissioner of Public Safety in relation to accepting a grant from the New York State Governor's Traffic Safety Committee to participate in the statewide "Child Passenger Safety" Program. **F/S**

43. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to execute all documents required to accept a grant in the amount of \$3,050 from the New York State Governor's Traffic Safety Committee to participate in the statewide "Child Passenger Safety" Program. **ADOPTED 7-0**

PRESSER

MARTIN

44. Communication from the Commissioner of Public Safety in relation to amending an ordinance authorizing a one year emergency medical services agreement with Empress Ambulance Service LLC. **F/S**
45. Ordinance amending an ordinance authorizing the City to enter into a one year emergency medical services agreement with Empress Ambulance Service LLC. **ADOPTED 7-0**

**MARTIN
BRASCH**

46. Communication from the Deputy Commissioner of Planning in relation to the authorization of a Community Development Special Rehabilitation grant not to exceed \$200,000 to El Centro Hispano Inc. **F/S**
47. Ordinance authorizing a Community Development Special Rehabilitation Grant not to exceed \$200,000 to El Centro Hispano Inc. **ADOPTED 7-0**

**BRASCH
HUNT-ROBINSON**

48. Communication from the Deputy Commissioner of Planning requesting authorization to enter into an agreement with ArtsWestchester to use the Artsmobile at the Love Your Block Event. **F/S**
49. Ordinance of the Common Council of the City of White Plains authorizing an agreement with ArtsWestchester for permission to have the Artsmobile present at the Love Your Block Event. **ADOPTED 7-0**

**HUNT-ROBINSON
PUJA**

50. Communication from the Director of the Youth Bureau in relation to accepting a \$10,000 grant from the Warner Music Group Social Justice Fund to support the R.E.A.L. Girls Academy Program. **F/S**
51. Ordinance of the Common Council of the City of White Plains authorizing the City to accept a \$10,000 Grant from the Warner Music Group Social Justice Fund to support the R.E.A.L. Girls Academy Program.

**PUJA
PAYNE**

52. Communication from the Commissioner of Recreation and Parks requesting authorization to enter into a license agreement with Stepinac High School for placement of a trailer at Ebersole Ice Rink. **F/S**

53. Ordinance authorizing a license agreement with Archbishop Stepinac High School to permit the placement of a trailer at the Ebersole Ice Rink
.ADOPTED 7-0

**PAYNE
PRESSER**

RESOLUTIONS:

54. Communication from the Mayor in relation to the adoption of a policy and procedures to conduct Building Energy Benchmarking. **F/S**
55. Resolution of the Common Council of the City of White Plains establishing energy benchmarking requirements for certain municipal buildings.
ADOPTED

**PRESSER
MARTIN**

56. Communication from the Corporation Counsel in relation to the commencement of legal proceedings against Culinary Tech Center, LLC. **F/S**
57. Resolution of the Common Council of the City of White Plains authorizing the commencement of legal proceedings against Culinary Tech Center, LLC. **ADOPTED**

**MARTIN
BRASCH**

58. Communication from the Commissioner of Building in relation to an application submitted on behalf of NW Plains Venture LLC for an extension of a site plan approval associated with the redevelopment of property at 20 Haarlem Avenue, 27 Holland Avenue and 7-11 Holland Avenue. **F/S**

ITEMS 59-67 F/S

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| 59. | <u>Communications</u> from | Design Review Board |
| 60. | | Commissioner of Planning |
| 61. | | White Plains Planning Board |
| 62. | | Commissioner of Public Safety |
| 63. | | Commissioner of Public Works |
| 64. | | Deputy Commissioner of Parking |
| 65. | | Transportation Commission |
| 66. | | Commissioner of Parking |
| 67. | | Environmental Officer |

68. Environmental Findings Resolution **ADOPTED**

69. Resolution of the Common Council of the City of White Plains granting a one year extension of a site plan approval to NW Plains Venture LLC to construct a mixed-use transit-oriented development at Haarlem and Holland Avenues. **ADOPTED**

BRASCH
HUNT-ROBINSON

70. Communication from the 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. **F/S**

ITEMS 71-79 F/S

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| 71. | <u>Communications</u> from | Design Review Board |
| 72. | | Commissioner of Planning |
| 73. | | White Plains Planning Board |
| 74. | | Commissioner of Public Safety |
| 75. | | Commissioner of Public Works |
| 76. | | Deputy Commissioner of Parking |
| 77. | | Transportation Commission |
| 78. | | Commissioner of Parking |
| 79. | | Environmental Officer |

80. Environmental Findings Resolution **ADOPTED**

81. Resolution of the Common Council of the City of White Plains extending the site plan approval originally granted on August 5, 2019 for an additional one year expiring on August 5, 2023 to 37 DeKalb Owner LLC, owner of the property known as 37 DeKalb Avenue, also known as Section 131.21, Block 1, Lot 1, to convert a former nursing home to a 21 unit apartment building. **ADOPTED**

HUNT-ROBINSON
PUJA

ITEMS FOR INFORMATION

82. Communication from the Budget Director transmitting the Capital Improvement Program Status Report for the quarter ended June 30, 2022. **F/S**

