



**COMMON COUNCIL  
AGENDA  
REGULAR STATED MEETING  
JULY 5, 2016  
7:30 P.M.**

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

**ROLL CALL:** City Clerk

**PUBLIC HEARINGS:**

1. Public Hearing on a proposed amendment to the Zoning Ordinance to add ‘Nursery Business’ as a Special Permit Use, and add “Organic Manufacturing” as a Principal Permitted Use. **ADJOURNED TO AUGUST 1, 2016**
2. Communication from Commissioner of Building **F/S**

**FIRST READING  
ORDINANCES:**

3. Communication from Corporation Counsel in relation to the settlement of certain tax review proceedings. **F/S**
4. Ordinance authorizing the settlement of certain tax review proceedings.  
**ADOPTED 7 - 0**
5. Communication from Corporation Counsel in relation to the retention of Special Counsel to act as Labor Counsel from the Period July 1, 2016 to June 30, 2017. **F/S**
6. Ordinance authorizing the Corporation Counsel to retain labor counsel from July 1, 2016 to June 30, 2017. **ADOPTED 7 - 0**
7. Communication from Corporation Counsel in relation to the retention of Special Counsel to provide professional services related to cases of injury or long term illness in the Department of Public Safety. **F/S**

8. Ordinance authorizing the Corporation Counsel to employ Special Counsel to provide services relating to the disposition of cases involving injuries or long term illness in the Department of Public Safety. **ADOPTED 7 - 0**
9. Communication from Corporation Counsel in relation to a proposed amendment to a previously adopted ordinance in relation to the authorization of the Corporation Counsel to settle claims against the City and increasing the settlement authorization. **F/S**
10. Ordinance amending in its entirety an ordinance adopted by the Common Council on April 4, 1994, entitled, "Ordinance amending an ordinance entitled, 'An ordinance authorizing the Corporation Counsel to approve for settlement all liability claims of \$10,000 or less against the City in connection with the City's Self Insurance Program'." **ADOPTED 7 - 0**
11. Communication from Corporation Counsel in relation to the change of control of TVC Albany Inc.. d/b/a First Light, to OHCP Northeastern Fiber Buyer, Inc., through a securities purchase agreement. **F/S**
12. Ordinance authorizing the change of control of TVC Albany Inc., d/b/a First Light, pursuant to a securities purchase agreement to OHCP Northeastern Fiber Buyer, Inc., pursuant to the existing franchise agreement between the City of White Plains and TVC Albany Inc., d/b/a First Light. **ADOPTED 7 - 0**
13. Communication from Corporation Counsel in relation to the renewal of a contract between the City and the Thomas H. Slater Center. **F/S**
14. Ordinance authorizing the Mayor to renew the annual contract with Thomas H. Slater Center, Inc., for the operation of the Thomas H. Slater Center. **ADOPTED 7 - 0**
15. Communication from Chairman, Capital Projects Board, in relation to the establishment of Capital Project No. C5483, On Street Meter Replacement. **F/S**
16. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5483, On Street Meter Replacement. **ADOPTED 7 - 0**
17. Communication from Chairman, Capital Projects Board, in relation to the establishment of Capital Project No. C5482, Library Improvements First Floor. **F/S**
18. Communication from Environmental Officer **F/S**
19. Environmental Findings Resolution **ADOPTED**
20. Ordinance of the Common Council of the City of White Plains to amend the

Capital Projects Fund by establishing Capital Project No. C5482, Library Improvements First Floor. **ADOPTED 7- 0**

21. Bond Ordinance dated July 5, 2016, authorizing the issuance \$1,010,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance a portion of the cost of the construction or reconstruction of City-owned buildings. **ADOPTED 7 - 0**
22. Communication from Chairman, Capital Projects Board, in relation to the establishment of Capital Project No. C5480, City-wide IT Infrastructure Replacement/Enhancements. **F/S**
23. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5480, City-wide IT Infrastructure Replacement/Enhancement. **ADOPTED 7 - 0**
24. Bond Ordinance dated July 5, 2016, authorizing the issuance of \$126,250 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 equipment, machinery and apparatus for improvements to Information Technology Infrastructure. **ADOPTED 7 - 0**
25. Communication from Chairman, Capital Projects Board, in relation to the establishment of Capital Project No. C5478, Rolling Stock Acquisition Heavy Duty Vehicles 2016-17. **F/S**
26. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5478, Rolling Stock Acquisition Heavy Duty Vehicles 2016-17. **ADOPTED 7 - 0**
27. Bond Ordinance dated July 5, 2016, authorizing the issuance of \$2,326,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the cost of the acquisition of rolling stock heavy duty vehicles. **ADOPTED 7 - 0**
28. Communication from Chairman, Capital Projects Board, in relation to the establishment of Capital Project No. C5479, Miscellaneous Street Reconstruction FY 2017. **F/S**
29. Communication from Environmental Officer. **F/S**
30. Environmental Findings Resolution **ADOPTED**
31. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5479, Miscellaneous Street Reconstruction FY 2017. **ADOPTED 7 - 0**

32. Bond Ordinance dated July 5, 2016, authorizing the issuance of \$1,297,850 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, reconstruction, widening or resurfacing of City streets. **ADOPTED 7 - 0**
33. Communication from Chairman, Capital Projects Board, in relation to the establishment of Capital Project No. C5481, Salt Storage Building. **F/S**
34. Communication from Environmental Officer. **F/S**
35. Environmental Findings Resolution **ADOPTED**
36. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5481, Salt Storage Building. **ADOPTED 7 - 0**
37. Bond Ordinance dated July 5, 2016, authorizing the issuance of \$303,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the cost of the acquisition or construction of City-owned buildings. **ADOPTED 7 - 0**
38. Communication from Chairman, Capital Projects Board, in relation to the establishment of Capital Project No. C5484, Turnure Park Improvements. **F/S**
39. Communication from Environmental Officer. **F/S**
40. Environmental Findings Resolution **ADOPTED**
41. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by establishing Capital Project No. C5484, Turnure Park Improvements. **ADOPTED 7 - 0**
42. Bond Ordinance dated July 5, 2016, authorizing the issuance of \$383,000 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance a portion of the costs of the acquisition, construction and reconstruction of improvements to City Parks and Recreation areas. **ADOPTED 7 - 0**
43. Communication from Commissioner of Public Safety in relation to a contract with the Federal Emergency Management Agency to receive a 2016 Assistance to Firefighters Grant, in the amount of \$361,646, to be used by the Fire Bureau for Personal Protective Equipment. **F/S**
44. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into a contract with the Federal Emergency Management (FEMA) in order to receive a 2016 Assistance to Firefighters Grant, which has been awarded to the Department of Public Safety Fire Bureau, and to

authorize the Mayor to direct the Budget Director to transfer the funds within the City Special Reserve Fund Budget to reflect said grant and to amend the FY 2015/16 General Fund and Public Safety grant. **ADOPTED 7 - 0**

45. Communication from Commissioner of Recreation and Parks in relation to an agreement between the City and the County of Westchester whereby the City will receive transportation services for seniors in accordance with the New York State AAA Transportation Program. **F/S**
46. Ordinance authorizing the Mayor or his designee to execute an agreement with the County of Westchester ("County"), whereby the City of White Plains will receive an amount of \$3,705, to furnish to the County various transportation services for seniors in accordance with the terms and conditions of the New York State AAA Transportation Program for a period from July 1, 2016 to June 30, 2017. **ADOPTED 7 - 0**
47. Communication from Commissioner of Recreation and Parks in relation to an agreement between the City and Glenn Davis Graphic Artist for design services. **F/S**
48. Ordinance of the Common Council of the City of White Plains authorizing the Commissioner of Recreation and Parks to execute on behalf of the City of White Plains an agreement with consultant Glenn Davis, a graphic artist, to provide design services for the Recreation and Parks seasonal brochures for the period of July 1, 2016 through June 30, 2017. **ADOPTED 7 - 0**
49. Communication from Director, Youth Bureau, in relation to a contract in the amount of \$37,500, with the Westchester Putnam Workforce Investment Board to accept an award to operate the Summer Youth Employment Program (TANF). **F/S**
50. Ordinance authorizing the Mayor, or his designee, to enter into a contract with the Westchester Putnam Workforce Investment Board to accept an award to operate a Summer Youth Employment Program and to authorize the Budget Director to amend the FY 2016/17 Youth Development Fund to reflect this Grant. **ADOPTED 7 - 0**
51. Communication from Director, Youth Bureau, in relation to the acceptance of a contribution of \$7,000 from the Friends of the Youth Bureau, to support the Summer Stem Camp for Middle School Students to be held at Church Street Elementary School. **F/S**
52. Ordinance of the Common Council of the City of White Plains approving the sponsorship by the City (through the Youth Bureau) of the Summer Stem Camp for Middle School Students at Church Street Elementary School, accepting a contribution of \$7,000 from the Friends of the Youth Bureau for the Program, and authorizing the Mayor to direct the Budget Director to increase the estimated revenue and appropriations, and to amend the Fiscal Year 2016/2017 Youth

Development Fund. **ADOPTED 7 - 0**

53. Communication from Director, Youth Bureau, in relation to a contract in the amount of \$117,950 with the Westchester Putnam Workforce Investment Board, Westchester County Commissioner of Social Services, the Westchester County Board of Acquisition and Contract and the Westchester County Attorney to provide Youth Employment Services to In School and Out of School Youth, and \$35,000 from Friends of the Youth Bureau. **F/S**
54. Ordinance of the Common Council of the City of White Plains authorizing the mayor or his designee (Acting by and through the Youth Bureau) to: (1) enter into a contract with the County of Westchester, acting on behalf of the Westchester Putnam Investment Board, through the Westchester Workforce Development Academy for Youth (WDAY), to receive \$117,950 in funding for Workforce Investment Act (WIOA) Youth Employment Services to In School and Out of School Youth 14 to 21 years of age for the period beginning July 1, 2016 and ending June 30, 2017; and (2) accept a \$35,000 contribution from the Friends of White Plains Youth Bureau to support the Youth Bureau's WIOA Youth Employment Services to In School and Out of School Youth Program. **ADOPTED 7 - 0**
55. Communication from Director, Youth Bureau, in relation to a contract with the Westchester Putnam Workforce Investment Board to accept an award in the amount of \$37,000, to operate a Summer Youth Employment Program. **F/S**
56. Ordinance authorizing the Mayor, or his designee, to enter into a contract with the Westchester Putnam Workforce Investment Board to accept an award to operate a Summer Youth Employment Program and to authorize the Budget Director to amend the FY 2016/17 Youth Development Fund to reflect this grant. **ADOPTED 7 - 0**
57. Communication from Director, Youth Bureau, in relation to a grant in the amount of \$5,000, from the USTA Eastern Section and USTA Eastern Southern Region to support the Youth Bureau's Tennis Program in the After School Programs. **F/S**
58. Ordinance authorizing the Mayor to accept, on behalf of the City of White Plains, a grant from the USTA Eastern Section and USTA Eastern Southern Region to support the Youth Bureau's Tennis Program in the After School Programs. **ADOPTED 7 - 0**
59. Communication from Director, Youth Bureau, in relation to a contract with the County of Westchester ( acting by and through the Youth Bureau), through the Westchester Putnam Workforce Investment Board, to receive \$5,000 in funding for Summer Employment Services to youth 18 to 24 years of age. **F/S**
60. Ordinance of the Common Council of the City of White Plains authorizing the

mayor or his designee (acting by and through the Youth Bureau) to enter into a contract with the County of Westchester (acting on behalf of the Westchester Putnam Workforce Investment Board), to receive \$5,000, on funding to provide private sector Summer Employment Services to youth 18 to 24 years of age for the period April 1, 2016 to September 30, 2017. **ADOPTED 7 - 0**

61. Communication from Personnel Director in relation to a salary increase for the position of Program Coordinator/Case Management at the White Plains Housing Authority. **F/S**
62. Resolution of the Common Council of the City of White Plains for the approval of the compensation for a certain grant fund position of the White Plains Housing Authority. **ADOPTED 7 - 0**
63. Communication from Commissioner of Parking in relation to a one year lease agreement between the City and Kenmin Partners for the use of the Minerva/Kensico Parking Lot. **F/S**
64. Ordinance of the Common Council of the City of White Plains authorizing the Mayor, or his designee, to enter into a one year lease agreement with Kenmin Partners for the lease of the Minerva/Kensico Parking Lot. **ADOPTED 7 - 0**

#### **RESOLUTIONS:**

65. Communication from Commissioner of Finance in relation to transfers from the General, Library, Sewer Rent and Water Funds Reserve for Financing, to record accrued liabilities. **F/S**
66. Resolution of the Common Council of the City of White Plains authorizing the Mayor to direct the Budget Director to transfer from the General, Library, Sewer Rent and Water Fund Reserves for Financing to appropriate expense codes, an amount up to \$1,160,332, to record accrued liabilities. **ADOPTED**

#### **ITEM FOR REFERRAL:**

67. Communication from Commissioner of Building in relation to an application submitted by Alex Lounge Bar & Grill, for a Special Permit for an Accessory Cabaret at 213 East Post Road. **F/S AND REFERRED TO LAW, BUILDING DEPT., PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**

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

68. Communication from Commissioner of Finance transmitting the City's Summary Adopted Budget for Fiscal Year 2016-17. **F/S AND ATTACHMENT FILED.**

THOMAS M. ROACH  
MAYOR



DEPARTMENT OF BUILDING  
70 Church Street, White Plains, New York 10601  
Phone: (914) 422 - 1269 • Fax (914) 422 - 1471

Damon A. Amadio, P.E.  
Commissioner

Kevin M. Hodapp, P.E.  
Deputy Commissioner

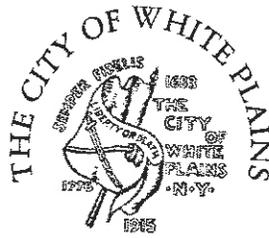
TO THE HONORABLE THOMAS M. ROACH, MAYOR  
AND MEMBERS OF THE COMMON COUNCIL OF THE  
CITY OF WHITE PLAINS

I recommend that the public hearing on the proposed amendment to the Zoning Ordinance, pertaining to "Nursery Business" and "Organic Manufacturing," be continued until next month while I evaluate the feasibility of creating a buffer zone between the "Organic Manufacturing" "uses" and residential "uses."

Respectfully submitted,

Damon A. Amadio P.E.   
Commissioner of Building

DATED: June 30, 2016  
(for the July 5, 2016  
Common Council Meeting)



**DEPARTMENT OF LAW**  
**MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601**

(914) 422-1241 • FAX (914) 422-1231

**JOHN G. CALLAHAN**  
Corporation Counsel

**CAROL L. VAN SCOYOC**  
Chief Deputy Corporation Counsel

**DANIEL K. SPENCER**  
Deputy Corporation Counsel

To the Honorable Mayor and Members of the Common Council of The City of White Plains:

Submitted herewith is an ordinance authorizing the settlement of tax review proceedings. These proceedings were brought on behalf of the owner(s) or lessee(s) of the properties located at 5 Barker Avenue and 34 East Post Road, White Plains, NY.

The Law Department has reviewed the proposed settlements with our Assessor, who recommends them. Based upon our review, it is my opinion that the settlements are appropriate and should be accepted. The locations of the properties involved, the reductions in assessed value, as well as the amounts to be refunded, are set forth in the accompanying ordinance.

John G. Callahan  
Corporation Counsel

Dated: June 29, 2016  
(For the Common Council Meeting  
of July 5, 2016)

**AN ORDINANCE AUTHORIZING THE SETTLEMENT OF CERTAIN TAX REVIEW PROCEEDINGS.**

WHEREAS, various petitioners have brought proceedings to review the assessed valuation of their premises; and

WHEREAS, the respective attorneys for the petitioners have offered and agreed to settle and discontinue said proceedings on condition that the assessed valuations of said properties be reduced and credits paid according to the following list in accord with the applicable tax rate for said years with no interest thereon:

**Chatam White Plains (2012)  
Chatam White Plains RI, LLC(2013-16)  
5 Barker Avenue  
SBL: 125.67-1-2..1-2..9, 2..11-2..19, 2..21-2..23, 2..25-2..34, 2..36-2..39, 2..41-2..83, 2..85-2..87, 2..89-2..95, 2..97-2..109, 2..111, 2..113-2..134 & 2..136-2..144**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2012/13	\$ 920,550	\$ 800,000	\$ 120,550	\$ 22,237.86
2013/14	\$ 920,550	\$ 835,000	\$ 85,550	\$ 16,403.36
2014/15	\$ 920,550	\$ 795,000	\$ 125,550	\$ 24,625.38
2015/16	\$ 920,550	\$ 775,000	\$ 145,550	\$ 29,217.71
2016/17	\$ 920,550	\$ 775,000	\$ 145,550	\$ 29,248.27
			<b>Total:</b>	<b>\$ 121,732.58</b>

**Marianina Oil Corporation**  
**34 East Post Road**  
**SBL: 130.27-2-4**

<u>Tax Year</u>	<u>Current Assessment</u>	<u>Proposed New Assessment</u>	<u>New Assessment Reduction</u>	<u>Proposed Amount of City Tax to be Refunded</u>
2013/14	\$ 31,800	\$ 29,220	\$ 2,580	\$ 494.69
2014/15	\$ 31,800	\$ 26,970	\$ 4,830	\$ 947.36
2015/16	\$ 31,800	\$ 25,575	\$ 6,225	\$ 1,249.61
2016/17	\$ 31,800	\$ 24,800	\$ 7,000	\$ <u>1,406.65</u>
			<b>Total:</b>	<u><u>\$ 4,098.31</u></u>

WHEREAS, the county and sewer taxes and the school taxes should be payable by the county and school separately if collected and if the settlement is approved by the Supreme Court.

NOW, THEREFORE, the Common Council of The City of White Plains hereby ordains and enacts as follows:

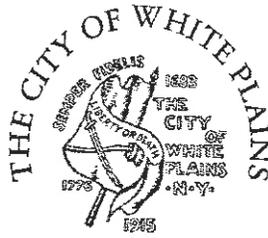
Section 1. The settlement of the aforesaid proceedings in the manner set forth above be and the same hereby is approved.

§2. The Commissioner of Finance, under the direction of the Corporation Counsel, be and is hereby authorized and directed to pay the amount of the refunds stated above, without interest to the petitioners or persons paying such tax or other levy in the manner provided by Section 726 of the Real Property Tax Law. All payments for current year taxes shall be payable from budget code A021- 01110 and all payments for prior year's taxes shall be payable from budget code A021 - 4.201. Payment of the refunds authorized herein with respect to any one of the

aforementioned properties is subject to the payment of any outstanding taxes due on that property, including any interest or penalties due thereon, or the Commissioner of Finance may apply such amount of the refunds authorized with respect to any one of the aforementioned properties to satisfy any outstanding taxes due on that property, including any interest or penalties due thereon.

§3. The Mayor is hereby further authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

§4. This ordinance shall take effect immediately.



**DEPARTMENT OF LAW**

**MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601**

**(914) 422-1241 • FAX (914) 422-1231**

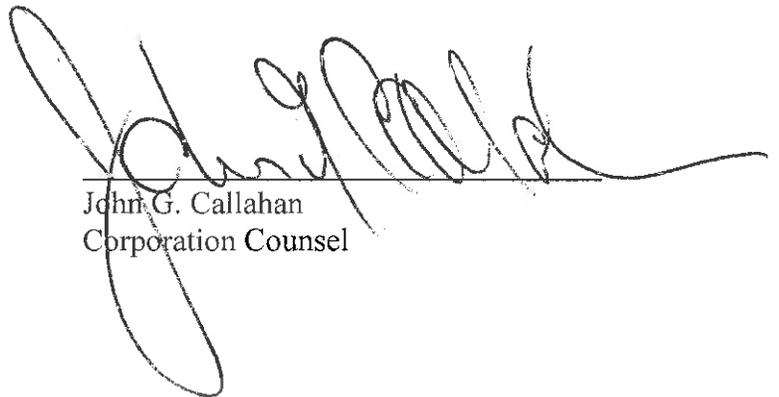
**JOHN G. CALLAHAN**  
Corporation Counsel

**CAROL L. VAN SCOYOC**  
Chief Deputy Corporation Counsel

**DANIEL K. SPENCER**  
Deputy Corporation Counsel

**To the Honorable Mayor and Members of the Common Council of the City of White Plains**

Submitted herewith for your consideration, is an ordinance authorizing the Corporation Counsel to retain special counsel, as may be deemed necessary by the Corporation Counsel, to act as labor counsel for the City of White Plains, for the period beginning July 1, 2016 and ending June 30, 2017, for a total cost not to exceed \$200,000. Funds are available for this purpose in the Law Department's budget.



John G. Callahan  
Corporation Counsel

Dated: June 30, 2016  
(For the Common Council  
Meeting of July 5, 2016)

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**AN ORDINANCE AUTHORIZING THE CORPORATION COUNSEL TO RETAIN LABOR COUNSEL FROM JULY 1, 2016 TO JUNE 30, 2017.**

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The Corporation Counsel of The City of White Plains is hereby authorized to retain special counsel as may be deemed necessary by the Corporation Counsel, to act as labor counsel for The City of White Plains.

Section 2. Such retention(s) shall be for the period beginning on the first day of July 2016, and ending on the thirtieth day of June 2017, or any part of said period, for any employment and labor related matters referred to them for representation by the Corporation Counsel. The total amount payable pursuant to the terms of such retention(s) shall not exceed \$200,000.

Section 3. The Commissioner of Finance is hereby authorized to expend sufficient funds to pay for the above professional services from Law Department Account No. A013 - 4.042 - Labor Counsel, FY 2016-2017.

Section 4. This ordinance shall take effect as of July 1, 2016.

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LD07/05/16wk



**DEPARTMENT OF LAW**  
**MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601**

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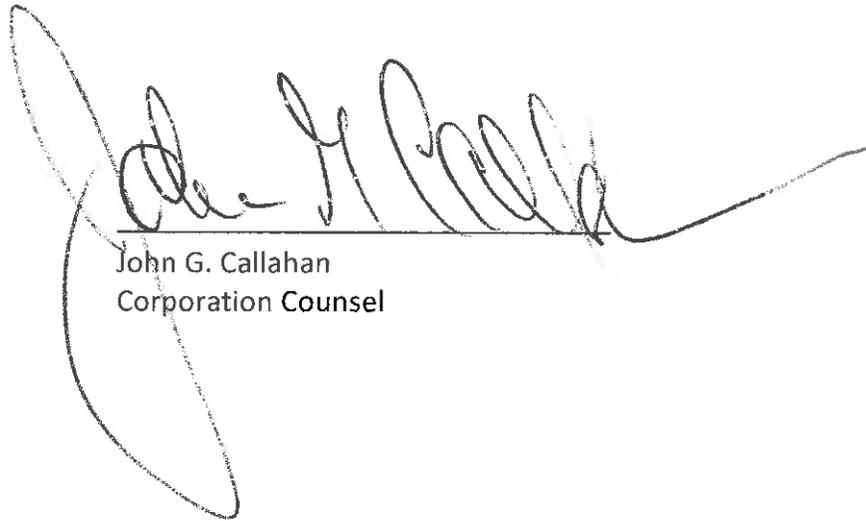
**JOHN G. CALLAHAN**  
Corporation Counsel

**CAROL L. VAN SCOYOC**  
Chief Deputy Corporation Counsel

**DANIEL K. SPENCER**  
Deputy Corporation Counsel

**To the Honorable Mayor and Members of the Common Council of the City of White Plains**

Submitted herewith for your consideration is an ordinance authorizing the Corporation Counsel to retain special counsel to provide professional services relating to the disposition of cases involving injuries or long-term illnesses in the Department of Public Safety including, but not limited to, Section 207 of the General Municipal Law, in an amount not to exceed \$70,000 effective July 1, 2016. Funds for this purpose are available in the Law Department's budget for FY 2016-2017.



John G. Callahan  
Corporation Counsel

Date: June 30, 2016  
(For the Common Council Meeting  
Of July 5, 2016)

AN ORDINANCE AUTHORIZING THE CORPORATION COUNSEL TO EMPLOY SPECIAL COUNSEL TO PROVIDE SERVICES RELATING TO THE DISPOSITION OF CASES INVOLVING INJURIES OR LONG-TERM ILLNESS IN THE DEPARTMENT OF PUBLIC SAFETY.

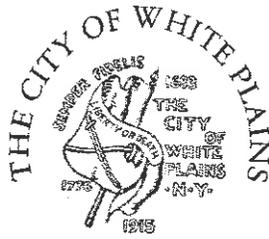
The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Corporation Counsel is hereby authorized to employ special counsel to provide professional services relating to the disposition of cases involving injuries or long-term illness in the Department of Public Safety including, but not limited to, Section 207 of the General Municipal Law, in an amount not to exceed \$70,000, including reasonable disbursements.

Section 2. The Commissioner of Finance is hereby authorized to expend sufficient funds to pay for the above professional services from the Law Department's budget.

Section 3. This ordinance shall take effect immediately.

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**DEPARTMENT OF LAW**

**MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601**

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**JOHN G. CALLAHAN**  
Corporation Counsel

**CAROL L. VAN SCOYOC**  
Chief Deputy Corporation Counsel

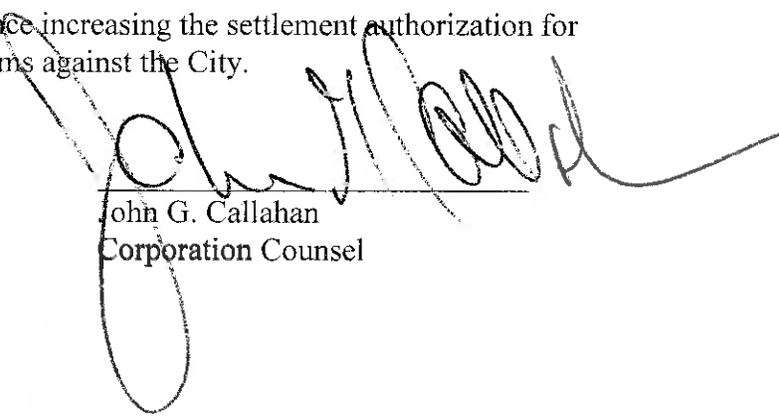
**DANIEL K. SPENCER**  
Deputy Corporation Counsel

**TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF  
THE CITY OF WHITE PLAINS**

Section 242 of the Charter of the City of White Plains ("Charter") authorizes the Common Council to adopt ordinances granting the Corporation Counsel general or specific authorization regarding the settlement of liability claims against the City. In accordance with same, on October 11, 1985, the Common Council adopted an ordinance pursuant to Section 242 of the Charter, allowing the Corporation Counsel to settle claims against the City in the amount of up to \$10,000. On April 4, 1994, the aforementioned ordinance was amended, but the \$10,000 settlement authorization level remained the same.

I recommend that the \$10,000 settlement authorization cap for the Corporation Counsel should be increased to \$50,000 to realistically take into account the rising costs of litigation.

Attached for your consideration is an ordinance increasing the settlement authorization for the Corporation Counsel to \$50,000 for liability claims against the City.



John G. Callahan  
Corporation Counsel

Dated: June 17, 2016  
(For the Common Council Meeting  
of July 5, 2016)

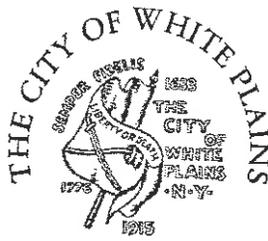
AN ORDINANCE AMENDING IN ITS ENTIRETY AN ORDINANCE ADOPTED BY THE COMMON COUNCIL ON APRIL 4, 1994, ENTITLED "ORDINANCE AMENDING AN ORDINANCE ENTITLED 'AN ORDINANCE AUTHORIZING THE CORPORATION COUNSEL TO APPROVE FOR SETTLEMENT ALL LIABILITY CLAIMS OF \$10,000 OR LESS AGAINST THE CITY IN CONNECTION WITH THE CITY'S SELF INSURANCE PROGRAM.' "

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. An ordinance entitled "Ordinance Amending an Ordinance Entitled 'An Ordinance Authorizing the Corporation Counsel to Approve for Settlement All Liability Claims of \$10,000 or Less against the City in Connection with the City's Self Insurance Program,' " which ordinance was adopted on April 4, 1994, is hereby amended in its entirety to read as follows:

Section 1. Pursuant to Section 242 of the Charter of the City of White Plains, the Corporation is hereby authorized to approve for settlement all liability claims against the City, where the amount of the settlement is \$50,000 or less.

§2. This ordinance shall take effect immediately.



**DEPARTMENT OF LAW**

**MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601**

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**JOHN G. CALLAHAN**  
Corporation Counsel

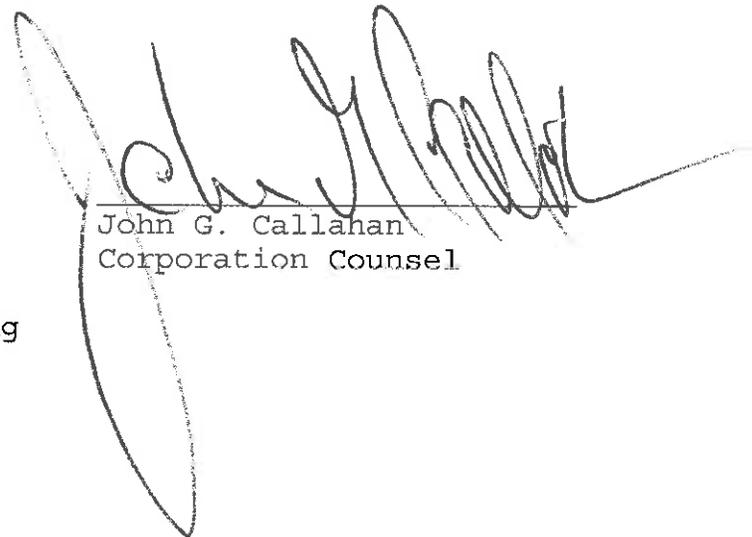
**CAROL L. VAN SCOYOC**  
Chief Deputy Corporation Counsel

**DANIEL K. SPENCER**  
Deputy Corporation Counsel

To the Honorable Mayor and Members of the Common Council of The City of White Plains:

TVC Albany Inc. D/b/a First Light ("TVC") is seeking approval by the Common Council, as required by the existing franchise agreement between the City of White Plains and TVC Albany Inc., of a change in control of that entity to OHCP Northeastern Fiber Buyer, Inc. ("OHCP") through a securities purchase agreement. This transaction was the subject of a joint petition by TVC and OHCP to the New York State Public Service Commission, dated March 29, 2016, which approval is pending. OHCP has agreed to provide a guaranty of the franchise agreement.

Submitted for your consideration is an ordinance which grants the approval sought by TVC Albany Inc. d/b/a First Light related to this change of control and authorizes the Mayor to execute any necessary agreements to memorialize this approval upon appropriate conditions.



John G. Callahan  
Corporation Counsel

Dated: June 28, 2016  
(for the July 5, 2016 meeting  
of the Common Council)

AN ORDINANCE AUTHORIZING THE CHANGE OF CONTROL OF TVC ALBANY INC. D/B/A FIRST LIGHT . PURSUANT TO A SECURITIES PURCHASE AGREEMENT TO OHCP NORTHEASTERN FIBER BUYER, INC.. PURSUANT TO THE EXISTING FRANCHISE AGREEMENT BETWEEN THE CITY OF WHITE PLAINS AND TVC ALBANY INC. D/B/A FIRST LIGHT .

WHEREAS, the City has the authority to grant franchises and licenses for the use and occupancy of the Streets (as defined in the agreements referred to herein) including the space along, upon, across, above, over and under the Streets; and

WHEREAS, the Common Council of the City of White Plains adopted an ordinance entitled “An ordinance by the Common Council of the City of White Plains to provide for the granting of one or more non-exclusive franchises and revocable licenses for telecommunications services within the municipal boundaries of the City of White Plains and to provide for the process under which said granting of franchises and revocable licenses shall take place” enacted on December 1, 1997 in order to structure and implement a fair and orderly process for the grant and renewal of franchises and other authorizations to occupy and use the Streets to construct, operate and maintain a telecommunications system in the City, including the negotiation of terms and conditions consistent with the applicable law, including the Communications Act of 1934, as amended by the Telecommunications Act of 1996 (the “1996 Act”); and

WHEREAS, the City entered into a fiber optic cable license agreement dated August 5, 2015 (“the Franchise Agreement”) with TVC Albany Inc. d/b/a First Light (“TVC”); and

WHEREAS, the Franchise Agreement provided that no change in control of TVC or transfer of any of the Franchise Agreement shall occur after the effective date of the Franchise Agreement, without the prior written consent of the City and that this restriction and requirement would apply whenever any change is proposed of twenty percent (20%) or more of the ownership

or control of TVC, the applicable Franchise or any person holding control of TVC or said franchise; and

WHEREAS, OHCP Northeastern Fiber Buyer, Inc. (“OHCP”) is acquiring equity ownership of TVC; and

WHEREAS, OHCP is a holding company owned by various equity funds which own no other FCC or New York State regulated telecommunications companies and intends to provide financial resources to TVC to enable TVC to remain competitive in the telecommunications industry; and

WHEREAS, day to day operations will continue to be managed by TVC; and

WHEREAS, TVC and OHCP have submitted an application to the New York State Public Service Commission (“NYSPSC”) for approval of the change of control of Fiber under the aforementioned corporate reorganization, dated March 29, 2016 (Case No. 16-00693), which application for approval of said transfer of control is pending; and

WHEREAS, TVC has requested that the City consent to the change in control of TVC to OHCP pursuant to the securities purchase agreement; and

WHEREAS, OHCP has agreed to become a guarantor of the Franchise Agreement; and

WHEREAS, the City has reviewed the materials submitted by TVC and OHCP and has determined that the transfer of control of TVC would be acceptable since OHCP has agreed to become the guarantor of the Franchise Agreement, and

WHEREAS, while the joint petition filed March 29, 2016 is presently pending before the NYSPSC, pursuant to New York State Public Service Law Section 100 the petition is deemed

approved as of June 28, 2016 if the NYSPSC has not notified the petitioners in writing that the public interest requires the NYSPSC to review and give its public consent to the transaction; and

WHEREAS, the City has been advised that by the applicant that, as of June 28, 2016, they have received no such notice from the NYSPSC ; and

WHEREAS, TVC shall continue to operate the franchise in the streets and the City finds that they remain a reputable entity and of sound financial condition and technically competent to maintain the telecommunications equipment within the City's streets; now, therefore

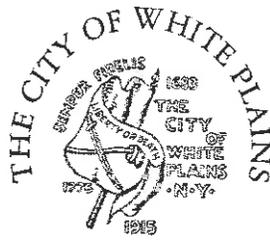
The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The change of control of TVC Albany Inc. d/b/a First Light pursuant to the Franchise Agreement between the City of White Plains and TVC Albany Inc. d/b/a First Light due to the proposed securities purchase agreement, which securities purchase approval is pending before the New York State Public Service Commission and which will result OHCP Northeastern Fiber Buyer, Inc. obtaining control of TVC Albany Inc. d/b/a as First Light is hereby approved 1) conditioned upon the provision of a guaranty of the Franchise Agreement between the City of White Plains and TVC Albany Inc. d/b/a First Light by OHCP Northeastern Fiber Buyer, Inc in a form satisfactory to the Corporation Counsel and 2) the approval of the securities purchase agreement by the New York State Public Service Commission.

§2. The Mayor is hereby authorized to execute any necessary instrument on behalf of the City to memorialize the aforesaid change of control approval under the Franchise Agreement in a form approved by the Corporation Counsel and the authorization and approval granted herein shall not be effective until the execution of any such agreement and said approval for the

transaction shall be further condition upon receipt by the City of the required guaranty in a form approved by the Corporation Counsel and the approval of the change of control by the New York State Public Service Commission.

§3. This ordinance shall take effect immediately.



**DEPARTMENT OF LAW**

**MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601**

**(914) 422-1241 • FAX (914) 422-1231**

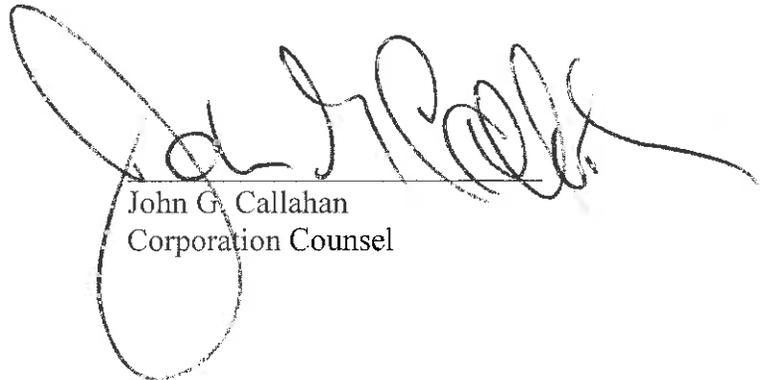
**JOHN G. CALLAHAN**  
Corporation Counsel

**CAROL L. VAN SCOYOC**  
Chief Deputy Corporation Counsel

**DANIEL K. SPENCER**  
Deputy Corporation Counsel

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF THE  
CITY OF WHITE PLAINS

Submitted for your consideration is an ordinance authorizing the Mayor to enter into a renewal of the annual contract with the Thomas H. Slater Center, Inc. for the operation of the Thomas H. Slater Center for the period commencing July 1, 2016 and terminating June 30, 2017.



John G. Callahan  
Corporation Counsel

Dated: June 17, 2016  
(for the Common Council  
Meeting of July 5, 2016)

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AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW THE ANNUAL CONTRACT WITH THOMAS H. SLATER CENTER, INC. FOR THE OPERATION OF THE THOMAS H. SLATER CENTER.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor of the City of White Plains is authorized to enter into a renewal of the annual contract with the Thomas H. Slater Center, Inc. for the operation of the Thomas H. Slater Center for the period commencing July 1, 2016 and terminating June 30, 2017. Said contract shall be in a form approved by the Corporation Counsel.

Section 2. The Mayor is further authorized to direct the Commissioner of Finance to expend such funds as appropriated for this contract in the 2016-2017 tax budget.

Section 3. This ordinance shall take effect July 1, 2016.



**CAPITAL PROJECTS BOARD  
MUNICIPAL BUILDING  
255 MAIN STREET, WHITE PLAINS, NY 10601  
Ph. (914) 422-1206 Fax: (914) 422-1269**

**TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL:**

Included in the FY 2015-16 Capital Improvement Program adopted by the Capital Projects Board is a project entitled "On-Street Meter Replacement" at an estimated cost of \$220,000. The project is the responsibility of the Commissioner of Parking and includes the replacement of existing on-street single space CashKey meters with new electronic single space smart-card capable electronic meters. Submitted herewith is legislation with authorizes the Commissioner of Parking to enter into various purchase orders and contracts as required to complete the project.

The legislation also authorizes the Mayor to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. C5483 entitled "On-Street Meter Replacement," as follows:

REVENUES:

C54835-09910	General Fund Contribution	<u>\$ 220,000</u>
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EXPENDITURES:

C5483-8.106	Major Additions/Improvements	<u>\$ 220,000</u>
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To provide the General Fund Contribution, it is also requested the General Fund Budget for FY 2015-16 to be amended as follows:

REVENUES:

A021-09999	Appropriation of Fund Balance	<u>\$ 220,000</u>
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EXPENDITURES:

A022-9.401	Contribution to Capital Projects Fund	<u>\$ 220,000</u>
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Finally, it is requested that the Mayor be authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

Respectfully submitted,

Thomas M. Roach, Mayor  
Chairman, Capital Projects Board

July 5, 2016

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY ESTABLISHING CAPITAL PROJECT NO. C5483, ENTITLED "ON-STREET METER REPLACEMENT."**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. Included in the FY 2015-16 Capital Improvement Program adopted by the Capital Projects Board is a project entitled, "On-Street Meter Replacement," at an estimated cost of \$220,000. This project is the responsibility of the Commissioner of Parking and includes the replacement of all existing on-street single space CashKey meters with new electronic single space smart-card capable electronic meters.

Section 2. The Mayor is hereby authorized to direct the Commissioner of Parking to enter into various purchase orders and contracts as required to complete the project. Said contracts shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide necessary funding for this purpose, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. C5483 entitled "On-Street Meter Replacement," as follows:

**REVENUES:**

C5483-09910	General Fund Contribution	<u>\$220,000</u>
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**EXPENDITURES:**

C5483-8.106	Major Additions/Improvements	<u>\$220,000</u>
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Section 4. To provide the General Fund Contribution, the General Fund Budget for FY 2015-16 be amended as follows:

**REVENUES:**

A021-09999	Appropriation of Fund Balance	<u>\$220,000</u>
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**EXPENDITURES:**

A022-9.401	Contribution to Capital Projects Fund	<u>\$220,000</u>
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Section 4. The Mayor is hereby further authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect June 30, 2016.



**CAPITAL PROJECTS BOARD  
MUNICIPAL BUILDING  
255 MAIN STREET, WHITE PLAINS, NY 10601  
Ph. (914) 422-1206 Fax: (914) 422-1269**

**TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL:**

The Capital Projects Board has recommended a project entitled "Library Improvements First Floor" in the Capital Improvement Program for 2016-17. Included in this project is the completion of interior renovations to the first floor of the Library, such as the adult area, the bookstore and the addition of a café. The Library vestibule will also be reconfigured to provide one ADA compliant sliding door entrance.

Submitted herein is legislation which would authorize the Mayor to direct the Commissioner of Public Works to enter into various contracts, as necessary, to complete this capital project.

The attached legislation also authorizes the Mayor to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project C5482, entitled "**Library Improvements First Floor**," and to establish a project budget as follows:

**REVENUES:**

C5482-08810	Serial Bonds	\$1,010,000
C5482-06275	Contributions	1,000,000
C5482-06276	Library Foundation Contribution	<u>400,000</u>
		<u>\$2,410,000</u>

**EXPENDITURES:**

C5482-4.005	Finance and Auditing	\$ 10,000
C5482-8.106	Major Additions/Improvements	<u>2,400,000</u>
		<u>\$2,410,000</u>

It is also requested that the Mayor be authorized to direct the Commissioner of Finance to sell \$1,010,000 of serial bonds to finance the project, and that the Commissioner of Finance be authorized to advance funds from the General Fund, as necessary, pending the receipt of the bond proceeds.

Respectfully submitted,

Thomas M. Roach, Mayor

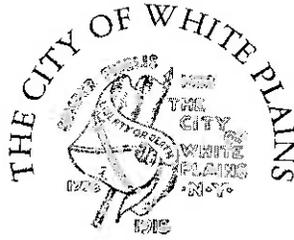
Chairman, Capital Projects Board

July 5, 2016

*"The Birthplace of the State of New York"*

www.whiteplainsny.gov

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**ENVIRONMENTAL OFFICER**

PLANNING DEPARTMENT • 70 CHURCH STREET • WHITE PLAINS, NEW YORK 10601  
(914) 422-1300; FAX: (914) 422-1301

THOMAS M. ROACH  
MAYOR

ROD JOHNSON  
ENVIRONMENTAL OFFICER

June 22, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: CAPITAL PROJECT NO. PROJECT C5482  
LIBRARY IMPROVEMENTS FIRST FLOOR

The proposed Capital Project No. C5482, entitled "Library Improvements First Floor," ("Proposed Action"), has been reviewed for compliance with the N.Y. State Environmental Quality Review (SEQR) regulations.

The project involves the completion of interior renovations to the first floor of the White Plains Library including improvements to the adult area and bookstore, the addition of a café and installation of an ADA compliant sliding door entrance.

The Proposed Action represents a Type II Action under SEQR regulations in that it involves the replacement, rehabilitation or standard upgrading of existing municipal facilities which do not represent significant changes to those facilities. Type II actions are determined under SEQR regulations not to have a significant effect on the environment.

It is recommended that the Common Council, (a) designate itself as the Lead Agency for the environmental review of the Proposed Action; and (b) find the Proposed Action to be a Type II Action under SEQR regulations, requiring no additional SEQR review or findings.

Respectfully submitted,

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Rod Johnson  
Environmental Officer

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ENVIRONMENTAL FINDINGS RESOLUTION REGARDING  
CAPITAL PROJECT NO. C5482, LIBRARY IMPROVEMENTS FIRST FLOOR.

WHEREAS, the proposed Capital Project No. C5482, entitled "Library Improvements First Floor," ("Proposed Action"), has been reviewed for compliance with the N.Y. State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Proposed Action involves the completion of interior renovations to the first floor of the White Plains Library including improvements to the adult area and bookstore, the addition of a café and installation of an ADA compliant sliding door entrance; and

WHEREAS, the Environmental Officer has recommended that the Common Council, as approving agency of municipal contracts, declare itself to be the Lead Agency for the environmental review of the Proposed Action; and

WHEREAS, the Environmental Officer has further recommended that the Common Council find that the Proposed Action represents a Type II Action under SEQR regulations at 6 NYCRR §617; now, therefore, be it

RESOLVED, that the Common Council hereby designates itself Lead Agency for the environmental review of the Proposed Action; and be it further

RESOLVED, that the Common Council hereby determines that the Proposed Action is Type II Action and that no additional SEQR review or finding is necessary.

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**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY AMENDING CAPITAL PROJECT NO. C5482 ENTITLED, "LIBRARY IMPROVEMENTS FIRST FLOOR."**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Capital Projects Board has recommended a project entitled "Library Improvements First Floor" in the Capital Improvement Program for 2016-17. Included in this project is the completion of interior renovations to the first floor of the Library, such as the adult area, the bookstore and the addition of a café. The Library vestibule will also be reconfigured to provide one (1) ADA compliant sliding door entrance.

Section 2. The Mayor is hereby authorized to direct the Commissioner of Public Works to enter into various contracts, as necessary, to complete this capital project. Said contracts shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for such project, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by amending Capital Project No. C5482, entitled, "**Library Improvements First Floor,**" by amending the budget as follows:

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**REVENUES:**

C5482-08810	Serial Bonds	\$1,010,000
C5482-06275	Contributions	1,000,000
C5482-06276	Library Foundation Contribution	<u>400,000</u>
		<u>\$2,410,000</u>

**EXPENSES:**

C5482-4.005	Finance and Audit	\$ 10,000
C5482-8.106	Major Additions/Improvements	<u>2,400,000</u>
		<u>\$2,410,000</u>

Section 4. The Mayor is hereby further authorized to direct the Commissioner of Finance to authorize the sale of serial bonds totaling \$1,010,000 and to advance funds for this project, as necessary, from the General Fund, pending receipt of the bond proceeds, and to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect immediately.

**BOND ORDINANCE, DATED JULY 5, 2016, AUTHORIZING THE  
ISSUANCE OF \$1,010,000 AGGREGATE PRINCIPAL AMOUNT SERIAL  
BONDS OF THE CITY OF WHITE PLAINS, COUNTY OF  
WESTCHESTER, STATE OF NEW YORK, TO FINANCE A PORTION  
OF THE COST OF THE CONSTRUCTION OR RECONSTRUCTION OF  
CITY-OWNED BUILDINGS.**

WHEREAS, the Common Council of the City of White Plains (the “City”), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of a portion of the cost of the construction or reconstruction of City-owned buildings (library improvements), including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$1,010,000, all in accordance with the Local Finance Law (the “Project”);

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$1,010,000, pursuant to the Local Finance Law, in order to finance the costs of the Project.

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$2,410,000, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, (c) the Common Council of the City plans to finance such cost of the Project from (i) the proceeds of serial bonds authorized herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds and (ii)

library foundation contribution (\$400,000) and various contributions (\$1,000,000), (d) the maturity of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took “official action” for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law (such buildings being of “Class A” construction as that term is defined in the Local Finance Law) and that the period of probable usefulness of the Project is twenty-five (25) years. The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the

City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The City covenants for the benefit

of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the City, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of

Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any obligations authorized issued herein upon the advice of bond counsel. Upon review of the environmental compliance record conducted in connection with the adoption by the Common Council of the Prior Ordinance, it is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City’s continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the

City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



**CAPITAL PROJECTS BOARD  
MUNICIPAL BUILDING  
255 MAIN STREET, WHITE PLAINS, NY 10601  
Ph. (914) 422-1206 Fax: (914) 422-1269**

**TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL:**

The Capital Projects Board has recommended a capital project for the replacement and or enhancement of various components of the City's Information Technology infrastructure as part of the FY 2016-17 Capital Improvement Program at an estimated cost of \$125,000.

Submitted herewith is legislation which would authorize the Mayor to direct the Chief Information Officer and the Commissioner of Purchase to enter into various contracts and purchase orders to undertake the project. The attached legislation authorizes the Mayor to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. **C5480**, entitled "**City-wide IT Infrastructure Replacement/Enhancements**" as follows:

**REVENUES**

C5480-08810	Serial Bonds	<u>\$126,250</u>
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**EXPENDITURES**

C5480-4.005	Finance and Auditing	\$ 1,250
C5480-8.319	Technology Equipment	<u>125,000</u>
		<u>\$126,250</u>

It is further requested that issuance of \$126,250 in serial bonds be authorized and that the Mayor be authorized to direct the Commissioner of Finance to advance funds to this project pending the receipt of the bond proceeds. Finally, it is requested that the Mayor be authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

Respectfully submitted,

Thomas M. Roach, Mayor  
Chairman, Capital Projects Board

July 5, 2016

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY ESTABLISHING CAPITAL PROJECT NO. 5480 "CITY-WIDE IT INFRASTRUCTURE REPLACEMENT/ENHANCEMENTS."**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. Included within the adopted Capital Projects Improvement Program FY 2016-2017 is funding for a project for the replacement and/or enhancement of various components of the City's Information Technology infrastructure with an estimated cost of \$125,000.

Section 2. The Mayor is hereby authorized to direct the Chief Information Officer and Commissioner of Purchase to enter into various contracts and purchase orders, as necessary, in undertaking the project. Said contracts shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for such project, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Projects No. C5480, entitled, "**City-wide IT Infrastructure Replacement/Enhancements,**" with a budget as follows:

**REVENUES:**

C5480-08810	Serial Bonds	<u>\$126,250</u>
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**EXPENDITURES:**

C5480-4.005	Finance and Auditing	\$ 1,250
C5480-8.319	Technology Equipment	<u>125,000</u>
		<u>\$126,250</u>

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Section 4. The Mayor is further authorized to direct the Commissioner of Finance to authorize the sale of serial bonds totaling \$126,500, and to advance funds for this project from the General Fund, as necessary, pending receipt of bond proceeds, and to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect immediately.

**BOND ORDINANCE, DATED JULY 5, 2016 AUTHORIZING THE ISSUANCE OF \$126,250 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 EQUIPMENT, MACHINERY AND APPARATUS FOR IMPROVEMENTS TO INFORMATION TECHNOLOGY INFRASTRUCTURE**

**WHEREAS**, the Common Council of the City of White Plains (the “City”), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of the acquisition of equipment, machinery and apparatus for improvements to information technology infrastructure, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$126,250, for which no funds have heretofore been appropriated or borrowed, all in accordance with the Local Finance Law (the “Project”);

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$126,250, pursuant to the Local Finance Law, in order to finance the costs of the Project.

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$126,250, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, (c) the Common Council of the City plans to finance such costs of the Project from the proceeds of serial bonds authorized herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds, (d) the maturity of the obligations authorized herein will not be in excess of five (5) years, and (e) on or before the expenditure

of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took "official action" for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is five (5) years. The serial bonds authorized herein shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy

Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The City covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the City, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code")

(except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any

obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by the Rule (the "Commitment"), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the

agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



**CAPITAL PROJECTS BOARD  
MUNICIPAL BUILDING  
255 MAIN STREET, WHITE PLAINS, NY 10601  
Ph. (914) 422-1206 Fax: (914) 422-1269**

**TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL:**

The Capital Projects Board adopted the Rolling Stock Committee recommendations for the replacement of certain city owned vehicles for fiscal year 2016-17. The Common Council funded certain light duty vehicles in the adopted Fiscal Year 2016-17 budget. This legislation pertains to the remainder of the rolling stock vehicles (heavy- duty) as included in the Capital Improvement Program.

Submitted herewith for your deliberation is legislation authorizing the Mayor to direct the Commissioner of Public Works and the Commissioner of Purchase to enter into various contracts, as necessary, to purchase the vehicles enumerated in the City's Rolling Stock Plan for Fiscal Year 2016-2017 Capital Improvement Program. In order to provide the necessary funding, it is further requested that the Mayor be authorized to direct the Budget Director to amend the Capital Projects Fund by establishing **Capital Project No. C5478**, entitled "**Rolling Stock Acquisition Heavy Duty Vehicles 2016-17**" as follows:

REVENUES:		
C5478-08810	Serial Bond Proceeds	<u>\$2,326,000</u>
EXPENDITURES:		
C5478-4.005	Finance and Auditing	\$ 23,000
C5478-8.400	Rolling Stock Acquisition (Various)	<u>2,303,000</u>
		<u>\$2,326,000</u>

It is further requested that the Mayor be authorized to direct the Commissioner of Finance to sell serial bonds totaling \$2,326,000, to advance funds from the General Fund, as necessary, pending the receipt of the bond proceeds, and to receive and disburse funds accordingly.

Respectfully submitted,

Thomas M. Roach, Mayor  
Chairman, Capital Projects Board

July 5, 2016

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**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY ESTABLISHING CAPITAL PROJECT NO. C5478, ENTITLED, "ROLLING STOCK ACQUISITION HEAVY DUTY VEHICLES 2016-2017."**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Capital Projects Board adopted the Rolling Stock Committee recommendations for the replacement of certain City-owned vehicles for Fiscal Year 2016-2017. The Common Council funded certain light-duty vehicles in the adopted budget Fiscal Year 2016-2017 budget. This ordinance herein pertains to the remainder of the rolling stock vehicles (heavy-duty) as included in the Capital Improvement Plan.

Section 2. The Mayor is hereby authorized to direct the Commissioners of Public Works and Purchase to enter into various contracts, as necessary, to purchase the vehicles enumerated in the City's Rolling Stock Plan for Fiscal Year 2016-2017 Capital Improvement Program. Said contract(s) shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for such vehicles, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. C 5478, entitled "**Rolling Stock Acquisition Heavy Duty Vehicles 2016-2017.**" with a budget as follows:

REVENUES:

C5478-08810	Serial Bond Proceeds	<u>\$2,326,000</u>
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EXPENDITURES:

C5478-4.005	Finance and Auditing	\$ 23,000
C5478-8.400	Rolling Stock Acquisition (Various)	<u>2,303,000</u>
		<u>\$2,326,000</u>

Section 4. The Mayor is hereby authorized to direct the Commissioner of Finance to sell serial bonds totaling \$2,326,000, to advance funds from the General Fund, as necessary, pending the receipt of the bond proceeds, and to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect immediately.

**BOND ORDINANCE, DATED JULY 5, 2016, AUTHORIZING THE  
ISSUANCE OF \$2,326,000 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 ROLLING STOCK HEAVY DUTY  
VEHICLES.**

WHEREAS, the Common Council of the City of White Plains (the “City”), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of the costs of the acquisition of rolling stock heavy duty vehicles, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$2,326,000, for which no funds have heretofore been appropriated or borrowed, all in accordance with the Local Finance Law (the “Project”);

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$2,326,000, pursuant to the Local Finance Law, in order to finance the costs of the Project.

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$2,326,000, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, (c) the Common Council of the City plans to finance such costs of the Project from the proceeds of serial bonds authorized herein

or bond anticipation notes issued in anticipation of the issuance of such serial bonds, (d) the maturity of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took “official action” for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is fifteen (15) years. The serial bonds authorized herein shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation

notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Journal News, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The City covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations,

any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the City, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with

environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any obligations authorized issued herein upon the advice of bond counsel. It is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City’s continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement

formed collectively by this paragraph and the Commitment shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



**CAPITAL PROJECTS BOARD  
MUNICIPAL BUILDING  
255 MAIN STREET, WHITE PLAINS, NY 10601  
Ph. (914) 422-1206 Fax: (914) 422-1269**

**TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL:**

Included in FY 2016-17 Capital Improvement Program is a project to reconstruct portions of various streets. The main focus of this year's work is the reconstruction of various street segments in the City's downtown. This communication requests funding for reconstruction and paving, but can include drainage and other related underground utility installations and improvements along with curbing, sidewalk, street scape items, street lighting, tree replacement, signage, guide rail and routine re-grading and re-shaping of the pavement cross section and minor realignment changes.

Submitted herewith is legislation which would authorize the Mayor to direct the Commissioner of Public Works to enter into various contracts as required to complete the capital improvements. The attached legislation authorizes the Mayor to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. C5479 entitled "**Miscellaneous Street Reconstruction FY '17,**" as follows:

**REVENUES**

C5479-08810	Serial Bonds	<u>\$1,297,850</u>
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**EXPENDITURES**

C5479-4.005	Finance and Auditing	\$ 12,850
C5479-8.203	Street/Rights-of-Way	<u>1,285,000</u>
		<u>\$1,297,850</u>

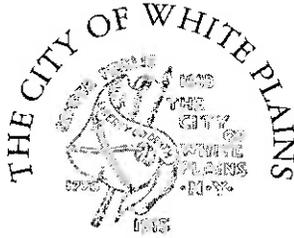
It is further requested that issuance of \$1,297,850 in serial bonds be authorized and that the Mayor be authorized to direct the Commissioner of Finance to advance funds to this project pending the receipt of the bond proceeds. Finally, it is requested that the Mayor be authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

Respectfully submitted,

Thomas M. Roach, Mayor  
Chairman, Capital Projects Board

July 5, 2016

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**ENVIRONMENTAL OFFICER**

PLANNING DEPARTMENT • 70 CHURCH STREET • WHITE PLAINS, NEW YORK 10601

(914) 422-1252 • FAX: (914) 422-1301

THOMAS M. ROACH  
MAYOR

ROD JOHNSON  
ENVIRONMENTAL OFFICER

June 22, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: CAPITAL PROJECT NO. C5479  
MISCELLANEOUS STREET RECONSTRUCTION

Capital Project No. C5479 entitled "Miscellaneous Street Reconstruction," (hereinafter referred to as the Proposed Action) have been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations.

The Proposed Action involves reconstruction and paving of various street segments and includes drainage and other related underground utility installations and improvements along with curbing, sidewalk, streetscape items, street lighting, tree replacement, signage, guiderail and routine re-grading and re-shaping of the pavement cross section and minor realignment changes.

This represents a Type II Action under SEQR regulations in that it involves maintenance or repair involving no substantial changes in an existing structure or facility. Type II actions are determined under SEQR not to have a significant effect on the environment.

It is recommended that the Common Council, (a) designate itself to be the Lead Agency for the environmental review of the proposed action and (b) find the proposed action to be a Type II Action under SEQR regulations, requiring no additional SEQR review or findings.

Respectfully submitted,

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Rod Johnson  
Environmental Officer

ENVIRONMENTAL FINDINGS RESOLUTION REGARDING  
CAPITAL PROJECT NO. C5479, MISCELLANEOUS STREET RECONSTRUCTION

WHEREAS, Capital Project No. C5479 entitled "Miscellaneous Street Reconstruction," (hereinafter referred to as the Proposed Action) have been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Proposed Action involves reconstruction and paving of various street segments and includes drainage and other related underground utility installations and improvements along with curbing, sidewalk, streetscape items, street lighting, tree replacement, signage, guiderail and routine re-grading and re-shaping of the pavement cross section and minor realignment changes; and

WHEREAS, the Environmental Officer has recommended that the Common Council, as approving agency of municipal contracts, designate itself as the Lead Agency for the environmental review of the Proposed Action; and

WHEREAS, the Environmental Officer has further recommended that the Common Council find that the Proposed Action is a Type II Action under SEQR regulations at 6 NYCRR §617 in that it involves the replacement, rehabilitation or standard upgrading of existing municipal facilities which do not represent significant changes to those facilities; now, therefore, be it

RESOLVED, that the Common Council hereby designates itself Lead Agency for the environmental review of the Proposed Action; and be it further

RESOLVED, that the Common Council hereby determines that the Proposed Action is a Type II Action and that no additional SEQR review or finding is necessary.

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY ESTABLISHING CAPITAL PROJECT NO. C5479, ENTITLED, "MISCELLANEOUS STREET RECONSTRUCTION FY '17."**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. Included in the FY 2016-2017 Capital Improvement Program is a project to reconstruct portions of various streets. The main focus of this year's work is the reconstruction of various street segments in the City's downtown. In addition to funding for reconstruction and paving, drainage and other related underground utility installations and improvements along with curbing, sidewalk, streetscape items, street lighting, tree replacement, signage, guiderail and routine re-grading and re-shaping of the pavement cross section and minor realignment changes can be included.

Section 2. The Mayor is hereby authorized to direct the Commissioner of Public Works to enter into various contracts, as necessary, to complete the capital improvements. Said contracts shall be in a form approved by the Corporation Counsel.

Section 3. The Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. C5479, entitled, "**Miscellaneous Street Reconstruction FY '17,**" as follows:

**INCREASE REVENUES:**

C5479-08810	Serial Bonds	<u>\$1,297,850</u>
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**INCREASE EXPENDITURES:**

C5479-4.005	Finance and Auditing	\$ 12,850
C5479-8.203	Street/Rights-of-Way	<u>1,285,000</u>
		<u>\$1,297,850</u>

Section 4. The Mayor is hereby further authorized to direct the Commissioner of Finance to authorize the sale of serial bonds totaling \$1,297,850 and to advance funds for this project from the General Fund, as necessary, pending receipt of the bond proceeds, and to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect immediately.

**BOND ORDINANCE, DATED JULY 5, 2016, AUTHORIZING THE  
ISSUANCE OF \$1,297,850 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, RECONSTRUCTION, WIDENING OR  
RESURFACING OF CITY STREETS.**

WHEREAS, the Common Council of the City of White Plains (the “City”), a municipal corporation of the State of New York (the “State”), located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of the costs of the construction, reconstruction, widening or resurfacing of City streets, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$1,297,850, for which no funds have heretofore been appropriated or borrowed, all in accordance with the Local Finance Law (the “Project”);

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$1,297,850, pursuant to the Local Finance Law, in order to finance the costs of the Project.

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$1,297,850, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, (c) the Common Council of the City plans to finance such costs of the Project from the proceeds of serial bonds authorized herein

or bond anticipation notes issued in anticipation of the issuance of such serial bonds, (d) the maturity of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took “official action” for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is fifteen (15) years. The serial bonds authorized herein shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation

notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The City covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations,

any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the City, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with

environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City’s continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by the Rule (the “Commitment”), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed

collectively by this paragraph and the Commitment shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



**CAPITAL PROJECTS BOARD  
MUNICIPAL BUILDING  
255 MAIN STREET, WHITE PLAINS, NY 10601  
Ph. (914) 422-1206 Fax: (914) 422-1269**

**TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL:**

The Capital Projects Board has recommended a project entitled "Salt Storage Building" in the Capital Improvement Program for 2016-17. This is for a new building at an additional site to address icing and snow conditions on City roadways more efficiently.

Submitted herein is legislation which would authorize the Mayor to direct the Commissioners of Public Works and Purchase to enter into various contracts, as necessary, to complete this capital project.

The attached legislation also authorizes the Mayor to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project C5481, entitled "**Salt Storage Building**," and to establish a project budget as follows:

REVENUES

C5481-08810	Serial Bonds	<u>\$303,000</u>
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EXPENDITURES:

C5481-4.005	Finance and Auditing	\$ 3,000
C5481-8.106	Major Additions/Improvements	<u>300,000</u>
		<u>\$303,000</u>

It is also requested that the Mayor be authorized to direct the Commissioner of Finance to sell \$303,000 of serial bonds to finance the project, and that the Commissioner of Finance be authorized to advance funds from the General Fund, as necessary, pending the receipt of the bond proceeds.

Respectfully submitted,

Thomas M. Roach, Mayor  
Chairman, Capital Projects Board

July 5, 2016



**ENVIRONMENTAL OFFICER**  
70 Church Street, White Plains, New York 10601  
(914) 422-1300 Fax: (914) 422-1301, E-Mail: [Planning@whiteplainsny.gov](mailto:Planning@whiteplainsny.gov)

THOMAS M. ROACH  
MAYOR

ROD JOHNSON  
ENVIRONMENTAL OFFICER

June 28, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: CAPITAL PROJECT NO. C5481  
SALT STORAGE BUILDING

The proposed Capital Project No. C5481, entitled "Salt Storage Building," (Proposed Action) has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations.

The City currently stores salt to be applied to City roadways in the wintertime during snow and icing conditions in an enclosed structure at the Department of Public Works facility at 128-138 South Kenco Avenue.

The project involves construction of an additional salt storage building at a second site within the Department of Public's Works Gender Yard facility at 87 Gedney Way to address icing and snow conditions on City roadways more efficiently.

The Gedney Yard facility is utilized for a variety of essential Department of Public Works functions, including the temporary storage of recyclables, leaf composting, City tree farm, snow piling during winter, materials storage and the transfer site to receive organic yard waste for transfer by Westchester County to commercial composting facilities.

The proposed structure will be approximately 60 by 160 ft. in area, 27 ft. in height and will store up to 3,000 tons of salt. It will be located in the central area of the Gedney Yard and within an area currently covered with asphalt pavement.

It is recommended that the Common Council (a) declare itself to be the Lead Agency for the environmental review; (b) find the Proposed Action to be an Unlisted Action under SEQR regulations; and (c) find that the Proposed Action will not have a significant effect on the environmental for the following reasons:

- (a) The proposal is consistent with the 1997 Comprehensive Plan, the 2006 Comprehensive Plan Update and the White Plains Zoning Ordinance.

The Comprehensive Plan offers the following Vision Statement regarding public works facilities, infrastructure and essential services

*The Plan's vision for the Gedney DPW Facility is for the continuation of critical public works functions on the site along with expanded recreational opportunities adjacent to Gillie Field, including a ballfield on the northeastern portion of the site and possible acquisition of land to the south of the Gillie ballfields.*

The following strategies are provided in the 1997 Comprehensive Plan and the 2006 Update:

- *Continue the important public works functions at the Gedney DPW facility and maintain adequate expansion space for those functions.*
- *Expand Gillie Field with the addition of ballfields using the northeast portion of the site adjacent to Gillie Field, subject to ensuring adequate space for DPW functions at the Gedney facility.*
- *Retain vacant City-owned land along Gedney Circle as a buffer area for the Gedney DPW facility composting operation.*
- *The Gedney DPW facility should be retained to provide adequate space for current and future yard waste and leaf composting activities (with necessary buffers as required by the State Department of Environmental Conservation), and to provide space for other critical DPW functions. (Retained as stated.) II-II-17*
- *The Gedney DPW facility should continue to be used to hold recyclables, as it has the least impact on City residents. (Ongoing; see Capital Improvement Program Appendix.) II-II-17*

The installation of the proposed salt storage building over an existing paved area in the central portion of the Gedney Yard will not affect the potential expansion of recreational areas adjacent to Gillie Field.

The continued operation of the Gedney Way Recycling Facility conforms to the Comprehensive Plan and the Zoning Ordinance

- (b) The Proposed Action should not cause a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production levels or potential for erosion, flooding, leaching or drainage problems.

The construction and operation of a salt storage facility is similar to the other existing DPW operations within the Gedney Yard facility including storage of recyclables, leaf composting, City tree farm, snow piling during winter, materials storage and the organic yard waste transfer site.

The traffic and noise levels associated with the new facility are similar to and consistent with those other on-site DPW operations.

The new salt storage facility will be located in the central area of the Gedney Yard and within an area currently covered with asphalt pavement.

No excavation is required for this project. The structure will be built on a “floating foundation” on top of “grade beams” which rest on top of the paved surface.

There will be no significant changes to on site drainage. The storage structure will shelter the salt from rain water runoff. There will be no significant changes to the site topography.

No permits are required from the NYDEC to install or operate the proposed salt storage facility.

The project will not affect any of the recycling or composting operations at the site and will not affect any areas regulated or monitored by the NYDEC in conjunction with those operations.

- (c) No large quantities of vegetation or fauna will be removed by the Proposed Action. No endangered species of plant or animal should be adversely affected by the Proposed Action. No other significant adverse impacts to natural resources will result from the Proposed Action.

The project site has been occupied by various activities of the Department of Public Works and does not have naturally landscaped conditions. The naturally landscaped buffer areas adjacent to Gedney Circle on the east and the Greenway on the west will not be impacted by the Proposed Action.

- (d) The character or quality of important historical, archeological, architectural or aesthetic resources of the City or any neighborhood will not be adversely affected by the Proposed Action.

The Gedney Yard facility is nearly 47 acres. It is currently utilized for a variety of essential Department of Public Works functions, including recycling, leaf mulching and storage of certain materials and snow. The only access to these operations is from the existing driveway to Gedney Way.

The installation and operation of the proposed salt stage operation will not change the inherent operation or character of the City's facility.

Land uses that adjoin the Gedney DPW facility and railway right-of-way are predominantly residential and institutional. The proposed structure will be located within the central, interior area of the DPW Gedney Yard with the following distances to the adjoining properties and structures:

- To the east, the salt structure will be 700 ft. to the residences on Gedney Circle, 300 ft. to property line and 1,000 ft. to the Stephinac High School, building, 675 ft. to property line and over 800 ft. to the residential buildings at Gedney commons.
- To the south it will be 1,000 ft. to residences on Railside Avenue and Commerce Street.
- To the west it will be 600 ft. to residences on Beverly Road.

There is an existing, naturally forested area, approximately 150 ft. in width, within the Gedney Yard lot area that serves as a buffer and visually screens the DPW operations from the adjacent Greenway Park.

- (e) No major change in type or quantity of energy used will result from the Proposed Action.
- (f) No hazard to health or human safety will be created.

There is no reason to expect any hazard to human health or safety resulting from this Proposed Action. All development is subject to the appropriate municipal safety codes and approved by the Departments of Building, Public Safety, Public Works and Traffic.

- (g) The Proposed Action will not create a substantial change in the use, or intensity of use, of land or other natural resources or the area's capacity to support existing uses. It will not attract a significantly large number of people to the place, neighborhood or community.
- (h) The Proposed Action will not result in the creation of a material demand for other actions which would result in one of the above consequences.
- (i) The Proposed Action will not result in changes in two or more elements of the environment, no one of which has a significant effect on the environment, but which when taken together, result in a substantial adverse impact on the environment.
- (j) The Proposed Action does not represent two or more related actions that, when considered cumulatively, would result in any significant environmental impacts.

(k) No significant impacts have been identified as a result of the Proposed Action when assessed in connection to its setting, duration, geography scope, magnitude and number of people affected.

A resolution which makes these findings is offered for the Common Council's consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rod Johnson".

Rod Johnson  
Environmental Officer

ENVIRONMENTAL FINDINGS RESOLUTION REGARDING  
CAPITAL PROJECT NO. C5481, SALT STORAGE BUILDING.

WHEREAS, the proposed Capital Project No. C5481, entitled "Salt Storage Building," (Proposed Action) has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the City currently stores salt to be applied to City roadways in the wintertime during snow and icing conditions in an enclosed structure at the Department of Public Works facility at 128-138 South Kenco Avenue; and

WHEREAS, the project involves construction of an additional salt storage building at a second site within the Department of Public's Works Gender Yard facility at 87 Gedney Way to address icing and snow conditions on City roadways more efficiently; and

WHEREAS, the Gedney Yard facility is utilized for a variety of essential Department of Public Works functions, including the temporary storage of recyclables, leaf composting, City tree farm, snow piling during winter, materials storage and the transfer site to receive organic yard waste for transfer by Westchester County to commercial composting facilities; and

WHEREAS, the proposed structure will be approximately 60 by 160 ft. in area, 27 ft. in height and will store up to 3,000 tons of salt. It will be located in the central area of the Gedney Yard and within an area currently covered with asphalt pavement; and

WHEREAS, the Environmental Officer has recommended that the Common Council (a) declare itself to be the Lead Agency for the environmental review; (b) find the Proposed Action to be an Unlisted Action under SEQR regulations; and (c) find that the Proposed Action will not have a significant effect on the environment; and

WHEREAS, under the New York State Environmental Quality Review (SEQR) regulations (6 NYCRR 617), the Common Council is required to incorporate environmental considerations in approval actions by a) identifying environmental issues; b) taking a "hard look" at relevant environmental concerns; and c) making a "reasoned elaboration" as a basis for an environmental determination; and

WHEREAS, the Environmental Officer has recommended that the Common Council, as approving agency of the Proposed Action, should declare itself as Lead Agency for the environmental review of the Action; and

WHEREAS, the Environmental Officer has recommended to the Common Council that the Proposed Action is an Unlisted Action under SEQR regulations 6 NYCRR §617; and

WHEREAS, the Common Council has considered the Proposed Action and reports from the various City departments, boards or commissions and involved agencies, and public comments which, when considered together, constitute the Environmental Review Record and serve as a basis for the SEQR determination; now, therefore, be it

RESOLVED, based on the foregoing reasons, that the Common Council hereby designates itself Lead Agency for the environmental review of the Proposed Action; and be it further

RESOLVED, based on the foregoing reasons, that the Common Council hereby determines that the Proposed Action is an Unlisted Action under SEQR; and be it further

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RESOLVED that the Common Council has examined the potential environmental effects of the Proposed Action and makes the following environmental findings;

- (a) The proposal is consistent with the 1997 Comprehensive Plan, the 2006 Comprehensive Plan Update and the White Plains Zoning Ordinance.

The Comprehensive Plan offers the following Vision Statement regarding public works facilities, infrastructure and essential services

*The Plan's vision for the Gedney DPW Facility is for the continuation of critical public works functions on the site along with expanded recreational opportunities adjacent to Gillie Field, including a ballfield on the northeastern portion of the site and possible acquisition of land to the south of the Gillie ballfields.*

The following strategies are provided in the 1997 Comprehensive Plan and the 2006 Update:

- *Continue the important public works functions at the Gedney DPW facility and maintain adequate expansion space for those functions.*
- *Expand Gillie Field with the addition of ballfields using the northeast portion of the site adjacent to Gillie Field, subject to ensuring adequate space for DPW functions at the Gedney facility.*
- *Retain vacant City-owned land along Gedney Circle as a buffer area for the Gedney DPW facility composting operation.*
- *The Gedney DPW facility should be retained to provide adequate space for current and future yard waste and leaf composting activities (with necessary buffers as required by the State Department of Environmental Conservation), and to provide space for other critical DPW functions. (Retained as stated.) II-II-17*
- *The Gedney DPW facility should continue to be used to hold recyclables, as it has the least impact on City residents. (Ongoing; see Capital Improvement Program Appendix.) II-II-17*

The installation of the proposed salt storage building over an existing paved area in the central portion of the Gedney Yard will not affect the potential expansion of recreational areas adjacent to Gillie Field.

The continued operation of the Gedney Way Recycling Facility conforms to the Comprehensive Plan and the Zoning Ordinance

- (b) The Proposed Action should not cause a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production levels or potential for erosion, flooding, leaching or drainage problems.

The construction and operation of a salt storage facility is similar to the other existing DPW operations within the Gedney Yard facility including storage of recyclables, leaf composting, City tree farm, snow piling during winter, materials storage and the organic yard waste transfer site.

The traffic and noise levels associated with the new facility are similar to and consistent with those other on-site DPW operations.

The new salt storage facility will be located in the central area of the Gedney Yard and within an area currently covered with asphalt pavement.

No excavation is required for this project. The structure will be built on a “floating foundation” on top of “grade beams” which rest on top of the paved surface.

There will be no significant changes to on site drainage. The storage structure will shelter the salt from rain water runoff. There will be no significant changes to the site topography.

No permits are required from the NYDEC to install or operate the proposed salt storage facility.

The project will not affect any of the recycling or composting operations at the site and will not affect any areas regulated or monitored by the NYDEC in conjunction with those operations.

- (c) No large quantities of vegetation or fauna will be removed by the Proposed Action. No endangered species of plant or animal should be adversely affected by the Proposed Action. No other significant adverse impacts to natural resources will result from the Proposed Action.

The project site has been occupied by various activities of the Department of Public Works and does not have naturally landscaped conditions. The naturally landscaped buffer areas adjacent to Gedney Circle on the east and the Greenway on the west will not be impacted by the Proposed Action.

- (d) The character or quality of important historical, archeological, architectural or aesthetic resources of the City or any neighborhood will not be adversely affected by the Proposed Action.

The Gedney Yard facility is nearly 47 acres. It is currently utilized for a variety of essential Department of Public Works functions, including recycling, leaf mulching and storage of certain materials and snow. The only access to these operations is from the existing driveway to Gedney Way.

The installation and operation of the proposed salt storage operation will not change the inherent operation or character of the City’s facility.

Land uses that adjoin the Gedney DPW facility and railway right-of-way are predominantly residential and institutional. The proposed structure will be located within the central, interior area of the DPW Gedney Yard with the following distances to the adjoining properties and structures:

- To the east, the salt structure will be 700 ft. to the residences on Gedney Circle, 300 ft. to property line and 1,000 ft. to the Stephinac High School, building, 675 ft. to property line and over 800 ft. to the residential buildings at Gedney commons.
- To the south it will be 1,000 ft. to residences on Railside Avenue and Commerce Street.
- To the west it will be 600 ft. to residences on Beverly Road.

There is an existing, naturally forested area, approximately 150 ft. in width, within the Gedney Yard lot area that serves as a buffer and visually screens the DPW operations from the adjacent Greenway Park.

- (e) No major change in type or quantity of energy used will result from the Proposed Action.
- (f) No hazard to health or human safety will be created.

There is no reason to expect any hazard to human health or safety resulting from this Proposed Action. All development is subject to the appropriate municipal safety codes and approved by the Departments of Building, Public Safety, Public Works and Traffic.

- (g) The Proposed Action will not create a substantial change in the use, or intensity of use, of land or other natural resources or the area's capacity to support existing uses. It will not attract a significantly large number of people to the place, neighborhood or community.
- (h) The Proposed Action will not result in the creation of a material demand for other actions which would result in one of the above consequences.
- (i) The Proposed Action will not result in changes in two or more elements of the environment, no one of which has a significant effect on the environment, but which when taken together, result in a substantial adverse impact on the environment.
- (j) The Proposed Action does not represent two or more related actions that, when considered cumulatively, would result in any significant environmental impacts.
- (k) No significant impacts have been identified as a result of the Proposed Action when assessed in connection to its setting, duration, geography scope, magnitude and number of people affected; and be it further

RESOLVED that, based on the foregoing findings, the Common Council determines that the Proposed Action will not have a significant effect on the environment; and be it further

RESOLVED that the Environmental Officer is authorized to file the appropriate notice as required by SEQR.

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY AMENDING CAPITAL PROJECT NO. C5481 ENTITLED, "SALT STORAGE BUILDING."**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Capital Projects Board has recommended a project entitled "Salt Storage Building" in the Capital Improvement Program for 2016-17. This is a new building at an additional site to address icing and snow conditions on City roadways more efficiently.

Section 2. The Mayor is hereby authorized to direct the Commissioners of Public Works and Purchase to enter into various contracts, as necessary, to complete this capital project. Said contracts shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for such project, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by amending Capital Project No. C5481, entitled, "**Salt Storage Building**," by amending the budget as follows:

**REVENUES:**

C5481-08810	Serial Bonds	<u>\$303,000</u>
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**EXPENSES:**

C5481-4.005	Finance and Audit	\$ 3,000
C5481-8.106	Major Additions/Improvements	<u>300,000</u>
		<u>\$303,000</u>

Section 4. The Mayor is hereby further authorized to direct the Commissioner of Finance to authorize the sale of serial bonds totaling \$303,000 and to advance funds for this project, as necessary, from the General Fund, pending receipt of the bond proceeds, and to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect immediately.

**BOND ORDINANCE, DATED JULY 5, 2016, AUTHORIZING THE  
ISSUANCE OF \$303,000 AGGREGATE PRINCIPAL AMOUNT SERIAL  
BONDS OF THE CITY OF WHITE PLAINS, COUNTY OF  
WESTCHESTER, STATE OF NEW YORK, TO FINANCE THE COST OF  
THE ACQUISITION OR CONSTRUCTION OF CITY-OWNED  
BUILDINGS.**

WHEREAS, the Common Council of the City of White Plains (the “City”), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of the cost of the acquisition or construction of City-owned buildings (Salt Storage Building), including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$303,000, all in accordance with the Local Finance Law (the “Project”);

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$303,000, pursuant to the Local Finance Law, in order to finance the costs of the Project.

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$303,000, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, (c) the Common Council of the City plans to finance such cost of the Project from the proceeds of serial bonds authorized herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds, (d) the maturity

of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took “official action” for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 11(c) of paragraph a of Section 11.00 of the Local Finance Law (such buildings being of “Class C” construction as that term is defined in the Local Finance Law) and that the period of probable usefulness of the Project is fifteen (15) years. The serial bonds authorized herein shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation

notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The City covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations,

any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the City, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with

environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any obligations authorized issued herein upon the advice of bond counsel. Upon review of the environmental compliance record conducted in connection with the adoption by the Common Council of the Prior Ordinance, it is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City’s continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall

be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



**CAPITAL PROJECTS BOARD  
MUNICIPAL BUILDING  
255 MAIN STREET, WHITE PLAINS, NY 10601  
Ph. (914) 422-1206 Fax: (914) 422-1269**

**TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL:**

The Capital Projects Board has recommended a project entitled "Turnure Park Improvements" in the Capital Improvement Program for FY 2016-2017. Included in the project is the upgrade of bathrooms, the resurfacing of blacktop all-purpose area and the construction of a new playground and toddler play area with rubberized asphalt safety surface.

Submitted herein is legislation which would authorize the Mayor to direct the Commissioner of Public Works to enter into various contracts, as necessary, to complete this capital project.

The attached legislation also authorizes the Mayor to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project C5484, entitled "Turnure Park Improvements", and to establish a project budget as follows:

**REVENUES:**

C5484-02203	Community Development	\$120,000
C5484-08810	Serial Bonds	<u>383,800</u>
		<u>\$503,800</u>

**EXPENDITURES:**

C5484-4.005	Finance and Auditing	\$ 3,800
C5484-8.106	Major Additions/Improvements	<u>500,000</u>
		\$ <u>503,800</u>

It is also requested that the Mayor be authorized to direct the Commissioner of Finance to sell \$383,800 of serial bonds to finance the project, and that the Commissioner of Finance be authorized to advance funds from the General Fund, as necessary, pending the receipt of the bond proceeds.

Respectfully submitted,

Thomas M. Roach, Mayor

Chairman, Capital Projects Board

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July 5, 2016

*"The Birthplace of the State of New York"*



**ENVIRONMENTAL OFFICER**

70 Church Street, White Plains, New York 10601  
(914) 422-1300 Fax: (914) 422-1301, E-Mail: Planning@whiteplainsny.gov

THOMAS M. ROACH  
MAYOR

ROD JOHNSON  
ENVIRONMENTAL OFFICER

June 22, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: CAPITAL PROJECT NO. C5484  
TURNURE PARK IMPROVEMENTS

Capital Project No. C5484, entitled "Turnure Park Improvements," has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations.

This project involves upgrading of bathrooms, the resurfacing of blacktop all-purpose area and the construction of a new playground and toddler play area with rubberized asphalt safety surface.

The Proposed Action represents a Type II Action under SEQR regulations in that it involves the replacement, rehabilitation or standard upgrading of existing municipal facilities which do not represent significant changes to those facilities. Type II actions are determined under SEQR regulations not to have a significant effect on the environment.

It is recommended that the Common Council, (a) designate itself as the Lead Agency for the environmental review of the Proposed Action; and (b) find the Proposed Action to be a Type II Action under SEQR regulations, requiring no additional SEQR review or findings.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rod Johnson".

Rod Johnson  
Environmental Officer

ENVIRONMENTAL FINDINGS RESOLUTION REGARDING  
CAPITAL PROJECT NO. C5484, TURNURE PARK IMPROVEMENTS.

WHEREAS, Capital Project No. C5484, entitled "Turnure Park Improvements," has been reviewed for compliance with the New York State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Proposed Action involves upgrading of bathrooms, the resurfacing of blacktop all-purpose area and the construction of a new playground and toddler play area with rubberized asphalt safety surface; and

WHEREAS, the Environmental Officer has recommended that the Common Council, as approving agency of municipal contracts, declare itself to be the Lead Agency for the environmental review of the Proposed Action; and

WHEREAS, the Environmental Officer has further recommended that the Common Council find that the Proposed Action represents a Type II Action under SEQR regulations at 6 NYCRR §617 in that it involves the replacement, rehabilitation or standard upgrading of existing municipal facilities which do not represent significant changes to those facilities; now, therefore, be it

RESOLVED, that the Common Council hereby designates itself Lead Agency for the environmental review of the Proposed Action; and be it further

RESOLVED, that the Common Council hereby determines that the Proposed Action is Type II Action and that no additional SEQR review or finding is necessary.

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY ESTABLISHING CAPITAL PROJECT NO. C5484, ENTITLED, "TURNURE PARK IMPROVEMENTS."**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Capital Projects Board has recommended a project entitled "Turnure Park Improvements" in the Capital Improvement Program for FY 2016-2017. Included in the project is the upgrade of bathrooms, and resurfacing of blacktop all-purpose area and the construction of a new playground and toddler play area with rubberized asphalt surface.

Section 2. The Mayor is hereby authorized to direct the Commissioner of Public Works to enter into various contracts, as necessary, to complete this capital project. Said contracts shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for surveying, construction and related services for the project, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by establishing Capital Project No. C5484, entitled, "**Turnure Park Improvements**," with a budget as follows:

**REVENUES:**

C5484-02203	Community Development	\$120,000
C5484-08810	Serial Bonds	<u>383,800</u>
		<u>\$503,800</u>

**EXPENDITURES:**

C5484-4.005	Finance and Auditing	\$ 3,800
C5484-8.011	Major Additions/Improvements	<u>500,000</u>
		<u>\$503,800</u>

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Section 4. The Mayor is authorized to direct the Commissioner of Finance to sell \$383,800 of serial bonds to finance the project, and to advance funds, as necessary, from the General Fund, pending the receipt of the bond proceeds and to receive and disburse funds accordingly.

Section 5. This ordinance shall take effect immediately.

**BOND ORDINANCE, DATED JULY 5, 2016, AUTHORIZING THE  
ISSUANCE OF \$383,800 AGGREGATE PRINCIPAL AMOUNT SERIAL  
BONDS OF THE CITY OF WHITE PLAINS, COUNTY OF  
WESTCHESTER, STATE OF NEW YORK, TO FINANCE A PORTION  
OF THE COSTS OF THE ACQUISITION, CONSTRUCTION AND  
RECONSTRUCTION OF IMPROVEMENTS TO CITY PARKS AND  
RECREATION AREAS.**

WHEREAS, the Common Council of the City of White Plains (the “City”), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the City to authorize the financing of a portion of the costs of the acquisition, construction and reconstruction of improvements to City parks and recreation areas, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$383,800, for which no funds have heretofore been appropriated or borrowed, all in accordance with the Local Finance Law (the “Project”);

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of White Plains, in the County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$383,800, pursuant to the Local Finance Law, in order to finance the costs of the Project.

Section 2. The Common Council of the City has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$503,800, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, (c) the Common Council of the City plans to finance such costs of the Project from (i) the proceeds of serial bonds authorized

herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds and (ii) a community development grant (\$120,000), (d) the maturity of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the City, the Common Council of the City took "official action" for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 19 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is fifteen (15) years. The serial bonds authorized herein shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond ordinance and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Commissioner of Finance, as the chief fiscal officer of the City. The Commissioner of Finance is hereby authorized to execute by manual or facsimile signature on behalf of the City, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to impress the seal of the

City (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Commissioner of Finance. In the absence of the Commissioner of Finance, the Deputy Commissioner of Finance is hereby authorized to exercise the powers delegated to the Commissioner of Finance by this bond ordinance.

Section 5. When this bond ordinance takes effect, the City Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the City and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the City is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond ordinance, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the City are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The City hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The City covenants for the benefit

of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the City, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the City to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond ordinance by the City. The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

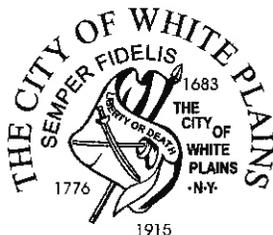
Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Common Council of the City shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of

Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond ordinance, the Common Council of the City covenants that it will re-adopt, amend or modify this bond ordinance prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Common Council of the City that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the City agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the City’s continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Commissioner of Finance is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by the Rule (the “Commitment”), to be placed on file with the City Clerk and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond ordinance and not substantially adverse to the City and that are approved by the Commissioner of Finance on behalf of the City, all of which shall be conclusively

evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The Commissioner of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Commissioner of Finance shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the City and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond ordinance shall take effect immediately upon its due adoption by the Common Council of the City.



DEPARTMENT OF PUBLIC SAFETY  
77 SOUTH LEXINGTON AVENUE • WHITE PLAINS, NEW YORK 10601  
(914) 422-6400 • FAX: (914) 422-6373

DAVID E. CHONG  
Commissioner  
422-6350

THOMAS M. ROACH  
Mayor  
422-1200

JAMES M. BRADLEY  
Deputy Commissioner  
422-6230

ANNE FITZSIMMONS  
Chief of Police  
422-6258

RICHARD L. LYMAN  
Fire Chief  
422-6360

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS

Dear Mayor and Common Council:

The Department of Public Safety Fire Bureau has been awarded a fiscal year 2016 Assistance to Firefighters Grant by the Federal Emergency Management Agency with an approved project total of \$397,810.00. The Federal share of the grant is \$361,646.00 (90%) with a required contribution by The City of White Plains in the amount of \$36,164.00 (10%). This Grant is awarded in the program area of Personal Protective Equipment and the Department of Public Safety will use the funds to replace their aging Self-contained Breathing Apparatus.

It is requested that the Mayor be authorized to direct the Budget Director to process the above transfer. It is also requested that the Mayor, or his designee, be authorized to enter into various contracts, as necessary, and to direct the Budget Director to amend the FY2015-16 General Fund and Public Safety Grant as follows:

**GENERAL FUND**  
**TRANSFER FROM**

A002-9.990	Reserve For Financing	<u>\$ 36,164.00</u>
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**TRANSFER TO**  
**B009-9.200**

Transfer to Special Revenue Fund	<u>\$ 36,164.00</u>
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**PUBLIC SAFETY GRANT FUND**  
**INCREASE REVENUE**

AFG16-02201	FEMA Grant	\$361,646.00
AFG16-09910	General Fund Contribution	<u>\$ 36,164.00</u>
		<u>\$397,810.00</u>

**INCREASE APPROPRIATIONS**  
**AFG16-5.340**

Protective Services Equipment	<u>\$397,810.00</u>
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It is also requested that the Commissioner of Finance be authorized to advance funds to this project from the General Fund, pending receipt of the grant funds. It is further requested that the commissioner of Finance be authorized to receive and disburse funds accordingly.

  
David E. Chong  
Commissioner of Public Safety

Dated: July 5, 2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IN ORDER TO RECEIVE A 2016 ASSISTANCE TO FIREFIGHTERS GRANT, WHICH HAS BEEN AWARDED TO THE DEPARTMENT OF PUBLIC SAFETY-FIRE BUREAU AND TO AUTHORIZE THE MAYOR TO DIRECT THE BUDGET DIRECTOR TO TRANSFER OF FUNDS WITHIN THE CITY SPECIAL RESERVE FUND BUDGET TO REFLECT SAID GRANT AND TO AMEND THE FY2015-16 GENERAL FUND AND PUBLIC SAFETY GRANT.

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Department of Public Safety-Fire Bureau of the City of White Plains has been awarded a FY 2016 Assistance to Firefighters Grant by the Federal Emergency Management Agency with an approved project total of \$397,810.00. The Federal share of the grant is \$361,646.00 (90%) with a required contribution by the City of White Plains in the amount of \$36,164.00 (10%). This Grant is awarded in the program area of Personal Protective Equipment of the Department of Public Safety will be using the funds to replace its aging Self-Contained Breathing Apparatus.

Section 2. The Mayor or his designee is hereby authorized to enter into a contract(s) to accomplish same. Said contract(s) shall be in a form acceptable to the Corporation Counsel. The Mayor is further authorized to direct the Budget Director to transfer funds within the General Fund to provide the local match and to amend the FY2015-16 General Fund and Public Safety Grant Fund as follows:

**GENERAL FUND**

**TRANSFER FROM:**

A002-9.990	Reserve for Financing	<u>\$36,164.00</u>
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**TRANSFER TO:**

B009-9.200	Transfer to Special Reserve Fund	<u>\$36,164.00</u>
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**PUBLIC SAFETY GRANT FUND**

**INCREASE REVENUE:**

AFG16-02201	FEMA Grant	\$361,646.00
AFG16-09910	General Fund Contributions	<u>36,164.00</u>
		<u>\$397,810.00</u>

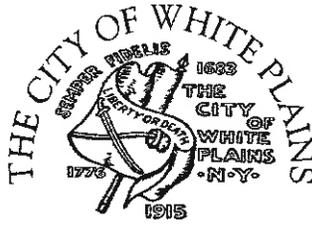
**INCREASE APPROPRIATIONS**

AFG16-5.340	Protective Services Equipment	<u>\$397,810.00</u>
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Section 3. The Mayor is further authorized to direct the Commissioner of Finance to advance funds to this project from the General Fund, pending receipt of the grant funds and to receive and disburse funds accordingly.

Section 4. This ordinance shall take effect June 30, 2016.

**THOMAS M. ROACH**  
MAYOR



**WAYNE D. BASS**  
COMMISSIONER

**FRAN CROUGHAN**  
DEPUTY COMMISSIONER

**DEPARTMENT OF RECREATION AND PARKS**  
85 GEDNEY WAY  
WHITE PLAINS, NEW YORK 10605

(914) 422-1336 Phone  
(914) 422-1250 Fax

**TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS:  
DEAR MAYOR AND COMMON COUNCIL MEMBERS**

The White Plains Recreation & Parks Senior Citizens Program has recently received an award in the amount of \$3,705 from AAA Transportation through the Westchester County Department of Senior Programs and Services for budget year 2016-2017.

Transmitted herewith for your consideration is a request for the Mayor or his designee to enter into an agreement with Westchester County Department of Senior Programs and Services to retain the money for services for senior citizens bus transportation.

Wayne D. Bass  
Commissioner of Recreation & Parks

Dated: July 5, 2016

**AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE COUNTY OF WESTCHESTER ("COUNTY") WHEREBY THE CITY OF WHITE PLAINS WILL RECEIVE AN AMOUNT OF \$3,705 TO FURNISH TO THE COUNTY VARIOUS TRANSPORTATION SERVICES FOR SENIORS IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE NEW YORK STATE AAA TRANSPORTATION PROGRAM FOR A PERIOD FROM JULY 1, 2016 THROUGH JUNE 30, 2017.**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor or his designee is hereby authorized to accept an award on behalf of the White Plains (Department of Recreation and Parks Senior Citizens Program) from AAA Transportation, through Westchester County (Department of Senior Programs and Services), in the amount of \$3,705, which award shall be used for the senior citizens bus transportation service.

Section 2. The Mayor or his designee is further authorized to execute an agreement with the County of Westchester whereby the City of White Plains agrees to furnish to the County various transportation services for seniors in accordance with the terms and conditions of the New York State AAA Transportation Program for the period from July 1, 2016 through June 30, 2017 for an amount not to exceed \$3,705. Said agreement shall be in a form approved by the Corporation Counsel.

Section 3. This ordinance shall take effect July 1, 2016.

THOMAS M. ROACH  
MAYOR



WAYNE D. BASS  
COMMISSIONER  
FRAN CROUGHAN  
DEPUTY COMMISSIONER

**DEPARTMENT OF RECREATION AND PARKS**

85 GEDNEY WAY  
WHITE PLAINS, NEW YORK 10605

(914) 422-1336 Phone

(914) 422-1250 Fax

TO: HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF WHITE PLAINS

Submitted herewith for your consideration is an ordinance authorizing an agreement between the City of White Plains and Glen Davis Graphic Artist to provide design services for the Recreation and Parks Seasonal Brochures for the period of July 1, 2016 through June 30, 2017.

The agreement will be for a period starting on July 1, 2016 and ending June 30, 2017. The amount of the contract shall not exceed Ten Thousand Dollars (\$10,000).

Respectfully Submitted

Wayne D. Bass  
Commissioner

July 5, 2016

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AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE COMMISSIONER OF RECREATION AND PARKS TO EXECUTE ON BEHALF OF THE CITY OF WHITE PLAINS AN AGREEMENT WITH CONSULTANT GLENN DAVIS, A GRAPHIC ARTIST, TO PROVIDE DESIGN SERVICES FOR THE RECREATION AND PARKS SEASONAL BROCHURES FOR THE PERIOD OF JULY 1, 2016 THROUGH JUNE 30, 2017.

WHEREAS, the Commissioner of Recreation and Parks has requested the Common Council's approval of an agreement for the consulting services of a graphic artist, Glenn Davis, to provide design services for the Recreation and Parks seasonal brochures (2016 Fall/Winter Brochure and 2017 Spring/Summer brochure) for the period of July 1, 2016 through June 30, 2017; and

WHEREAS, for his services, the consultant shall receive compensation in an amount not to exceed \$10,000; and

WHEREAS, the funding for the contract is available within the 2016-2017 Operating Budget of the Department of Recreation and Parks.

NOW, THEREFORE, the Common Council hereby ordains and enacts as follows:

Section 1. The Common Council of the City of White Plains hereby authorizes the Mayor to direct the Commissioner of Recreation and Parks to execute a consulting agreement on behalf of the City of White Plains with Glenn Davis, a graphic artist, to provide design services for the Recreation and Parks seasonal brochures (2016 Fall/Winter Brochure and 2017 Spring/Summer

brochure) for the period of July 1, 2016 through June 30, 2017.

Section 2. The aforementioned contract shall be in a form approved by the Corporation Counsel and in an amount not to exceed \$10,000. Funding for the contract is available within the current Operating Budget of the Department of Recreation and Parks.

Section 3. This ordinance shall take effect immediately.



YOUTH BUREAU  
OFFICE OF THE MAYOR  
11 AMHERST PLACE - WHITE PLAINS, NEW YORK 10601  
(914) 422 1378 - FAX (914) 422 6489

Thomas M. Roach  
Mayor

Frank Williams, Jr.  
Executive Director

June 15, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Westchester-Putnam Workforce Investment Board intends to establish a contract with the City of White Plains Youth Bureau to operate the 2016 TANF Summer Employment Program (SYEP) for at least 25 youth 14 to 20 years of age beginning on or about May 1, 2016 through September 30, 2016.

The total contract amount of \$37,500 is in the approval process by the Westchester-Putnam Workforce Investment Board, The Westchester County Commissioner of Social Services, The Westchester County of Board and Acquisition and Contract and the Westchester County Attorney. I am requesting that the Mayor be authorized to receive this grant and, upon receipt of the approved budget, that the Mayor authorize the Budget Director to amend the Fiscal Year 2016/17 Youth Development Fund accordingly.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank Williams, Jr.", written over a horizontal line.

Frank Williams, Jr.  
Director Youth Bureau

For the July 5, 2016 Common Council Ordinance

49

**AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A CONTRACT WITH THE WESTCHESTER-PUTNAM WORKFORCE INVESTMENT BOARD TO ACCEPT AN AWARD TO OPERATE A SUMMER YOUTH EMPLOYMENT PROGRAM AND TO AUTHORIZE THE BUDGET DIRECTOR TO AMEND THE FY 2016/17 YOUTH DEVELOPMENT FUND TO REFLECT THIS GRANT.**

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor, or his designee, is hereby authorized to enter into a contract with the Westchester-Putnam Workforce Investment Board, to accept an award, in an amount of \$37,500, to operate a Summer Youth Employment Program, which will serve at least twenty-five (25) youth between 14 and 20 years of age. The contract period is May 1, 2016 through September 30, 2016. Said contract shall be in a form to be approved by the Corporation Counsel.

Section 2. In order to record the receipt and expenditures of these funds, the Mayor, or his designee, is hereby authorized to direct the Budget Director to amend the FY 2016 - 2017 Youth Development Fund accordingly.

Section 3. The Commissioner of Finance is hereby authorized to receive and disburse these funds for their intended purposes.

Section 4. This ordinance shall take effect as of May 1, 2016.



**YOUTH BUREAU  
OFFICE OF THE MAYOR  
11 AMHERST PLACE – WHITE PLAINS, NEW YORK 10601  
(914) 422 1378 – FAX (914) 422 6489**

Thomas M. Roach  
Mayor

Frank Williams, Jr.  
Executive Director

June 20, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Youth Bureau will continue its summer STEM Camp the for middle school students 6<sup>th</sup> through 8<sup>th</sup> grades at Church Street Elementary School. The program will provide students’ exposure to Science, Technology, Robotics and Environmental Learning. 25 students will be recruited for the program with a proposed fee of \$700 (seven hundred dollars) per student. For income eligible families, scholarships will be made available at \$420 (four hundred twenty dollars)/ student. The revenue from fees is \$11,300 (Eleven thousand three hundred dollars) in addition; the Friends of the White Plains Youth Bureau will be supporting the camp with funds up to \$7,000 (seven thousand dollars). We are requesting to offset some of the expenses with the revenue received. I am requesting that the Mayor and Common Council approve the sponsoring of the summer STEM Camp to the Middle School students. It is also requested that the Mayor authorize the Budget Director to increase the estimated revenue and appropriations and amend the Fiscal Year 2016/17 Youth Development Fund as follows:

Increase Estimated Revenue:

STEM - 03655	Camp fees	\$11,300
STEM - 06275	Contributions	<u>\$7,000</u>
	<b>Total</b>	<b><u>\$18,300</u></b>

Increase Appropriations:

STEM - 4.910	Program Supplies	\$3,050
STEM - 4.940	Consultant Service	\$7,250
STEM - 4.970	Travel	<u>\$8,000</u>
	<b>Total</b>	<b><u>\$18,300</u></b>

Respectfully submitted,

Frank Williams, Jr.  
Director

For: July 5, 2016 Common Council Meeting

51

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS APPROVING THE SPONSORSHIP BY THE CITY (THROUGH THE YOUTH BUREAU) OF THE SUMMER STEM CAMP FOR MIDDLE SCHOOL STUDENTS AT CHURCH STREET ELEMENTARY SCHOOL, ACCEPTING A CONTRIBUTION OF \$7,000 FROM THE FRIENDS OF THE YOUTH BUREAU FOR THE PROGRAM, AND AUTHORIZING THE MAYOR TO DIRECT THE BUDGET DIRECTOR TO INCREASE THE ESTIMATED REVENUE AND APPROPRIATIONS, AND TO AMEND THE FISCAL YEAR 2016/17 YOUTH DEVELOPMENT FUND.**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Youth Bureau will continue its summer STEM Camp for the middle school students 6<sup>th</sup> through 8<sup>th</sup> grades at Church Street Elementary School. The program will provide students exposure to Science, Technology, Robotics and Environmental Learning. Twenty five (25) students will be recruited for the program with a proposed fee of \$700 (seven hundred dollars) per student. For income eligible families, scholarships will be made available at \$420 (four hundred twenty dollars) per student. The anticipated revenue from the fees is \$11,300 (eleven thousand three hundred dollars). In addition, the Friends of the White Plains Youth Bureau will be contributing up to \$7,000 (seven thousand dollars) in funds to the program. The Common Council hereby approves the sponsoring of the summer STEM Camp to the Middle School students to offset some of the expenses with the revenue received.

Section 2. The Mayor is hereby authorized to direct the Budget Director to increase the estimated revenue and appropriations and amend the Fiscal Year 2016/17 Youth Development Fund as follows:

**INCREASE ESTIMATED REVENUE:**

STEM-03655	Camp Fees	\$11,300
STEM-06275	Contributions	<u>7,000</u>
		<u>\$18,300</u>

**INCREASE APPROPRIATIONS:**

STEM-4.910	Program Supplies	\$ 3,050
STEM-4.940	Consultant Service	7,250
STEM-4.970	Travel	<u>8,000</u>
		<u>\$18,300</u>

Section 3. The Commissioner of Finance is hereby authorized to receive and disburse funds accordingly.

Section 4. This ordinance shall take effect immediately.



YOUTH BUREAU  
OFFICE OF THE MAYOR  
11 AMHERST PLACE – WHITE PLAINS, NEW YORK 10601  
(914) 422 1378 – FAX (914) 422 6489

Thomas M. Roach  
Mayor

Frank Williams, Jr.  
Executive Director

June 15, 2016

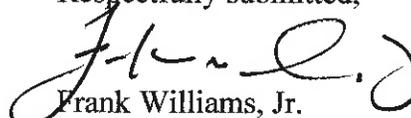
TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Westchester/Putnam Workforce Investment Board intends to establish a contract through the Westchester Workforce Development Academy for Youth (WDAY) with the City of White Plains Youth Bureau to continue providing WIOA Youth Employment Services to In School and Out of School Youth, ages 14 to 24 years beginning on or about July 1, 2016 to June 30, 2017.

The total contract amount of \$117,950 is in the approval process by the Westchester –Putnam Workforce Investment Board, the Westchester County Commissioner of Social Services, The Westchester County Board of Acquisition and Contract and the Westchester County Attorney . I am requesting that the Mayor be authorized to receive this grant and, upon receipt of the approved budget, the Mayor authorize the Budget Director to amend the Youth Development Fund accordingly.

The Friends of the White Plains Youth Bureau intends to support the Youth Bureau's WIOA Youth Employment Services to In School and Out of School Youth Program for the Fiscal Year 2016/17 by supplementing the program with a \$35,000 contribution. I am requesting that the Mayor be authorized to receive the funds from the Friends of the White Plains Youth Bureau and, I am also requesting the Mayor authorize the Budget Director to amend the Youth Development Fund accordingly.

Respectfully submitted,

  
Frank Williams, Jr.  
Director

For: July 05, 2016 Common Council

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**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE (ACTING BY AND THROUGH THE YOUTH BUREAU) TO: (1) ENTER INTO A CONTRACT WITH THE COUNTY OF WESTCHESTER, ACTING ON BEHALF OF THE WESTCHESTER-PUTNAM INVESTMENT BOARD THROUGH THE WESTCHESTER WORKFORCE DEVELOPMENT ACADEMY FOR YOUTH (WDAY), TO RECEIVE \$117,950 IN FUNDING FOR WORKFORCE INVESTMENT ACT (WIOA) YOUTH EMPLOYMENT SERVICES TO IN SCHOOL AND OUT OF SCHOOL YOUTH, 14 TO 21 YEARS OF AGE FOR THE PERIOD BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017; AND (2) ACCEPT A \$35,000 CONTRIBUTION FROM THE FRIENDS OF THE WHITE PLAINS YOUTH BUREAU TO SUPPORT THE YOUTH BUREAU'S WIOA YOUTH EMPLOYMENT SERVICES TO IN SCHOOL AND OUT OF SCHOOL YOUTH PROGRAM.**

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor of the City of White Plains or his designee (acting by and through the Youth Bureau) is hereby authorized to enter into a contract with the County of Westchester, acting on behalf of the Westchester-Putnam Investment Board through the Westchester Workforce Development Academy for Youth (WDAY), to receive \$117,950 in funding for Workforce Investment Act (WIOA) Youth Employment Services to In School and Out of School Youth, 14 to 21 years of age, for the period beginning July 1, 2016 and ending June 30, 2017. Said contract shall be in a form approved by the Corporation Counsel.

Section 2. The Mayor is further authorized to receive the \$117,950 grant and, upon receipt of the approved budget, the Budget Director to amend the Youth Development Fund accordingly.

Section 3. The Mayor is also authorized to receive a \$35,000 contribution from the Friends of the White Plains Youth Bureau to support the Youth Bureau's WIOA Youth Employment Services to In School and Out of School Youth Program for the Fiscal Year 2016/17.

Section 4. The Mayor is further authorized to direct the Budget Director to amend the Youth Development Fund accordingly.

Section 5. This ordinance shall take effect as of July 1, 2016.



YOUTH BUREAU  
OFFICE OF THE MAYOR  
11 AMHERST PLACE – WHITE PLAINS, NEW YORK 10601  
(914) 422 1378 – FAX (914) 422 6489

Thomas M. Roach  
Mayor

Frank Williams, Jr.  
Executive Director

June 20, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Friends of the White Plains Youth Bureau is allocating funds not to exceed \$37,000 for the Youth Bureau's Summer Employment Services program for the summer of 2016. The fund will be directly allocated to providing summer jobs for up to twenty five (25) additional youth between the ages of 14 and 21 years within the White Plains Community. I am requesting that the Mayor be authorized to enter into a contract with the Friends of the White Plains Youth Bureau to receive these funds.

Respectfully submitted,

Frank Williams, Jr.  
Director Youth Bureau

For: July 5, 2016 Common Council Meeting

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**AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT ON BEHALF OF THE CITY OF WHITE PLAINS, AN AWARD IN AN AMOUNT OF \$37,000 FROM THE FRIENDS OF THE WHITE PLAINS YOUTH BUREAU FOR THE YOUTH BUREAU'S SUMMER EMPLOYMENT SERVICES PROGRAM FOR THE SUMMER OF 2016 TO BE USED TO PROVIDE FUNDING FOR SUMMER JOBS FOR UP TO TWENTY-FIVE (25) ADDITIONAL YOUTH BETWEEN THE AGES OF 14 AND 21 YEARS WITHIN THE WHITE PLAINS COMMUNITY AND TO AUTHORIZE THE MAYOR OR HIS DESIGNEE TO ENTER INTO A CONTRACT ON BEHALF OF THE CITY OF WHITE PLAINS WITH THE FRIENDS OF THE WHITE PLAINS YOUTH BUREAU TO RECEIVE THESE FUNDS.**

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor or his designee is hereby authorized to accept, on behalf of the City of White Plains, an award in an amount of \$37,000 from the Friends of the White Plains Youth Bureau, for the Youth Bureau's Summer Employment Services Program for the Summer of 2016, to be used to provide funding for summer jobs for up to twenty-five (25) additional youth between the ages of 14 and 21 years within the White Plains community. The funding period will be from July 1, 2016 through August 30, 2016.

Section 2. The Mayor or his designee is hereby further authorized to enter into a contract on behalf of the City of White Plains with the Friends of White Plains Youth Bureau to receive these funds. The period of the contract shall be from July 1, 2016 through August 30, 2016.

Section 3. This ordinance shall take effect July 1, 2016.



YOUTH BUREAU  
OFFICE OF THE MAYOR  
11 AMHERST PLACE - WHITE PLAINS, NEW YORK 10601  
(914) 422-1378 - FAX (914) 422-6489  
[www.WhitePlainsYouthBureau.org](http://www.WhitePlainsYouthBureau.org)

THOMAS M. ROACH  
Mayor

FRANK WILLIAMS, JR.  
Executive Director

June 16, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The USTA Eastern Section and the Southern Region has awarded the City of White Plains Youth Bureau a grant in the amount of \$5,000 to support the Youth Bureau's Tennis program in the After School Programs. The grant period is July 01, 2016 to December 1, 2016. I am requesting that the Mayor be authorized to enter into a contract with the, Eastern Section and the Southern Region to receive these funds. It is also requested that the Mayor authorize the Budget Director to amend the Fiscal Year 2016/17 Youth Development Funds as follows:

**Increased Estimated Revenue:**

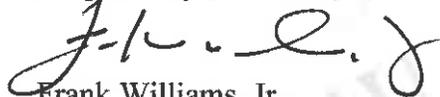
TENNIS – 06275	Contributions (USTA)	<u>\$5,000</u>
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**Increase Appropriations:**

TENNIS - 4.004	Consultant	<u>\$5,000</u>
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<b>TOTAL</b>		<b><u>\$5,000</u></b>
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Respectfully submitted,

  
Frank Williams, Jr.  
Director Youth Bureau

For: July 5, 2016 Common Council Meeting

**AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT, ON BEHALF OF THE CITY OF WHITE PLAINS, A GRANT FROM THE USTA EASTERN SECTION AND USTA EASTERN SOUTHERN REGION TO SUPPORT THE YOUTH BUREAU'S TENNIS PROGRAM IN THE AFTER SCHOOL PROGRAMS.**

The Common Council of The City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor is hereby authorized to enter into a contract with USTA Eastern Section and the USTA Eastern Southern Region, in order to accept, on behalf of the City of White Plains, a grant in the amount of \$5,000, to be used to support the Youth Bureau's Tennis Program in the After School programs. The contract period is July 1, 2016 to December 1, 2016. Said contract shall be in a form to be approved by the Corporation Counsel.

Section 2. In order to record the receipt and expenditures of these funds, the Mayor is hereby authorized to direct the Budget Director to amend the 2016-2017 Youth Development Fund, as follows:

**INCREASE ESTIMATED REVENUE:**

TENNIS-06275	Contributions (USTA)	<u>\$5,000</u>
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**INCREASE APPROPRIATIONS:**

TENNIS-4.004	Consultant	<u>\$5,000</u>
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<b><u>TOTAL</u></b>		<b><u>\$5,000</u></b>
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Section 3. The Commissioner of Finance is hereby authorized to receive and disburse these funds for the intended purpose.

Section 4. This ordinance shall take effect July 1, 2016.



**YOUTH BUREAU  
OFFICE OF THE MAYOR  
11 AMHERST PLACE – WHITE PLAINS, NEW YORK 10601  
(914) 422 1378 – FAX (914) 422 6489**

Thomas M. Roach  
Mayor

Frank Williams, Jr.  
Executive Director

May 18, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Westchester-Putnam Workforce Investment Board intends to establish a contract with the City of White Plains Youth Bureau to provide Private Sector Summer Employment Services to a minimum of 30 (thirty) Youth 18 to 24 years of age. The contract award for such services shall be in the amount of \$5,000 and the contract period is April 1, 2016 to September 30, 2016. I am requesting that the Mayor be authorized to enter into a contract with the Westchester-Putnam Workforce Investment Board to receive these funds. It is also requested that the Mayor authorize the Budget Director to amend the Fiscal Year 2016/17 Youth Development Funds as follows:

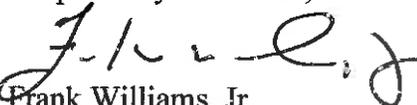
**Increased Estimated Revenue:**

SES16 – 02254	Westchester Co/W.I.A.	<u>\$5,000</u>
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**Increase Appropriations:**

SES16 – 1.800	Part Time Salary	\$4,032
SES16 – 2.001	FICA	\$309
SES16 - 2.020	MTA Pr. Tax	\$14
SES16 - 2.101	NYS Emp. Pension	\$645

<b>TOTAL</b>	<b><u>\$5,000</u></b>
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Respectfully submitted,  
  
 Frank Williams, Jr.  
 Director Youth Bureau

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**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE (ACTING BY AND THROUGH THE YOUTH BUREAU) TO ENTER INTO A CONTRACT WITH THE COUNTY OF WESTCHESTER (ACTING ON BEHALF OF THE WESTCHESTER-PUTNAM WORKFORCE INVESTMENT BOARD), TO RECEIVE \$5,000 IN FUNDING TO PROVIDE PRIVATE SECTOR SUMMER EMPLOYMENT SERVICES TO YOUTH 18 TO 24 YEARS OF AGE FOR THE PERIOD APRIL 1, 2016 TO SEPTEMBER 30, 2017.**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor of the City of White Plains or his designee (acting by and through the Youth Bureau) is hereby authorized to enter into a contract with the County of Westchester (acting on behalf of the Westchester-Putnam Workforce Investment Board) to receive funding in the amount of \$5,000 to provide Private Sector Summer Employment Services to Youth 18 to 24 years of age for the period beginning April 1, 2016 and ending September 30, 2016. Said contract shall be in a form approved by the Corporation Counsel.

Section 2. The Mayor is further authorized to direct the Budget Director to amend the Fiscal Year 2016/17 Youth Development Fund as follows:

**Increase Estimated Revenues:**

SES16-02254	Westchester Co./W.I.A.	<u>\$5,000</u>
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**Increase Appropriations:**

SES16-1.800	Part Time Salary	\$4,032
SES16-2.001	FICA	309
SES16-2.020	MTA Pr. Tax	14
SES16-2.101	NYS Emp. Pension	<u>645</u>
		<u>\$5,000</u>

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Section 3. The Commissioner of Finance is hereby authorized to receive and disburse funds accordingly.

Section 4. This ordinance shall take effect July 1, 2016.



DEPARTMENT OF PERSONNEL  
MUNICIPAL BUILDING \* 255 MAIN STREET \* WHITE PLAINS, NEW YORK, 10601  
(914) 422-1257 \* FAX (914) 422-6496

Thomas M. Roach  
Mayor

Elisabeth Wallace  
Personnel Officer

Debra Clay  
Deputy Personnel Officer

To The Honorable Mayor and Members of the Common Council of the City of White Plains

Dear Mayor and Council Members:

At the request of the Executive Director of the Housing Authority and based on Resolution #16-18 passed by the White Plains Housing Authority Board, I submit for your approval a Resolution for the approval of a salary increase for the following grant funded position which is not represented by a union, as follows:

Program Coordinator/Case Manager-WPHA 2% \$62,165 Effective 7/1/15

Your Council's approval of this Resolution is required by the provisions of the New York State Public Housing Authority Law and the bylaws of the White Plains Housing Authority in order to implement these salary increases.

Respectfully submitted,

Elisabeth Wallace  
Personnel Officer

Dated for: July 5, 2016

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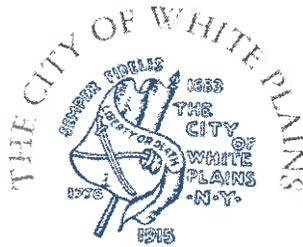
RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS FOR  
THE APPROVAL OF THE COMPENSATION FOR A CERTAIN GRANT FUNDED POSITION  
OF THE WHITE PLAINS HOUSING AUTHORITY

WHEREAS, the White Plains Housing Authority by adoption of its Resolution No. 16-18 on June 14, 2016 approved a 2% increase in the compensation of the Program Coordinator/Case Manager-WPHA effective July 1, 2015; and

WHEREAS, in accordance with Section 32 of the Public Housing Law, the Common Council must approve the compensation for employees of the White Plains Housing Authority; now therefore, be it

RESOLVED that the annual salary of \$62,165 authorized by the White Plains Housing Authority for the Program Coordinator/Case Manager-WPHA be hereby approved effective July 1, 2015.

**THOMAS M. ROACH**  
MAYOR



**JOHN P. LARSON**  
COMMISSIONER

**THOMAS J. SOYK, P.E., PTOE**  
DEPUTY COMMISSIONER/  
CITY TRANSPORTATION ENGINEER

**DEPARTMENT OF PARKING**  
255 MAIN ST. - ANNEX BUILDING  
WHITE PLAINS, NEW YORK 10601

(914) 422-1232 Phone  
(914) 422-1274 Fax

**TO THE HONORABLE MAYOR AND COMMON COUNCIL  
OF THE CITY OF WHITE PLAINS**

**Re: RENEWAL OF MINERVA-KENSICO LEASE**

The Minerva-Kensico parking lot has been leased by the Department of Parking and the former Parking Authority since 1984 and provides critical parking for area residents.

The current lease for the Minerva-Kensico parking lot with Kenmin Partners was authorized by the Common Council in September 2015 and will expire on June 30, 2016.

The parties seek to enter into a similar arrangement for a term of one year, expiring on June 30, 2016. It is anticipated that the annual base rent for the use of this property for 2016/2017 will be approximately \$13,650.

Submitted herewith for your consideration is an ordinance authorizing the Mayor, or his designee, to enter into the said lease agreement.

Respectfully submitted,

  
John P. Larson, Commissioner  
CWP – Department of Parking

Dated: June 16, 2016

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AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A ONE YEAR LEASE AGREEMENT WITH KENMIN PARTNERS FOR THE LEASE OF THE MINERVA/KENSICO PARKING LOT.

WHEREAS, since 1984, the Minerva/Kensico Parking Lot (SBL: 125.63-6-18) has been leased by the former White Plains Parking Authority and the City of White Plains for the exclusive use as a public parking area to provide critical parking for area residents; and

WHEREAS, the most current lease agreement with Kenmin Partners expired on June 30, 2016, and the parties have been in the process of negotiating a successor agreement; and

WHEREAS, these negotiations have been productive, the parties have agreed to enter into a new one (1) year agreement, commencing on July 1, 2016, and expiring on June 30, 2017, the consideration to be paid for this one year lease period is anticipated to be approximately \$13,650.00; and

WHEREAS, it is in the best interests of the City to enter into this lease agreement to secure this real property for the continued use as a public parking facility.

NOW, THEREFORE,

The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor or his designee, is hereby authorized to enter into a one (1) year

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lease agreement, effective July 1, 2016, and expiring June 30, 2017, with Kenmin Partners, for the lease of the real property known as the Minerva/Kensico Parking Lot, for an annual base rent of approximately \$13,650. Said lease agreement shall be in a form acceptable to the Corporation Counsel.

Section 2. This ordinance shall take effect July 1, 2016.



**DEPARTMENT OF FINANCE**

Municipal Building - 255 Main Street - White Plains, New York 10601  
TEL: (914) 422-1233 - Fax: (914) 422-1273

Thomas M. Roach  
Mayor

Michael A. Genito  
Commissioner of Finance

Carol Endres  
Deputy Commissioner

**To the Honorable Mayor and Members of the Common Council of the City of White Plains**

To conform to Generally Accepted Accounting Principles (GAAP) and to satisfy requirements of our auditors, The City of White Plains must accrue estimates of certain obligations within its Fiscal Year 2015-2016 financial records that apply to that year but will be paid in the subsequent fiscal year(s).

It is requested that the Mayor be authorized to direct the Budget Director to transfer from the General , Library, Sewer Rent and Water Fund Reserves for Financing to appropriate expense codes, an amount up to \$1,160,332 to record the aforementioned liabilities with an effective date of June 30, 2016 as follows:

General Fund (A002-9.990)	\$ 1,066,222
Library Fund (L001-9.990)	45,106
Sewer Rent Fund (SW01-9.990)	9,402
Water Fund (W001-9.990)	<u>39,602</u>
	\$ <u>1,160,332</u>

  
\_\_\_\_\_  
Michael A. Genito  
Commissioner of Finance

Dated: June 14, 2016  
(For the Common Council Meeting of July 5, 2016)

65

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR TO DIRECT THE BUDGET DIRECTOR TO TRANSFER FROM THE GENERAL, LIBRARY, SEWER RENT AND WATER FUND RESERVES FOR FINANCING TO APPROPRIATE EXPENSE CODES, AN AMOUNT UP TO \$1,160,332, TO RECORD ACCRUED LIABILITIES.**

WHEREAS, to conform to Generally Accepted Accounting Principles (GAAP) and to satisfy requirements of the City's auditors, the City of White Plains must accrue estimates of certain obligations within its Fiscal Year 2015-2016 financial records that apply to that year but will be paid in the subsequent fiscal year(s).

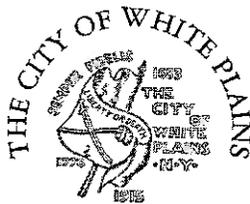
NOW, THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to direct the Budget Director to transfer from the General, Library, Sewer Rent Fund and Water Fund Reserves for Financing to appropriate expense codes, an amount of up to \$1,160,332 to record the aforementioned liabilities with an effective date of June 30, 2016, as follows:

General Fund (A002-9.990)	\$1,066,222
Library Fund (L001-9.990)	45,106
Sewer Rent (SW01-9.990)	9,402
Water Fund (W001-9.990)	39,602; and be it further

RESOLVED, that this resolution shall take effect June 30, 2016.

66

THOMAS M. ROACH  
MAYOR



DEPARTMENT OF BUILDING

70 Church Street, White Plains, New York 10601

Phone: (914) 422 - 1269 \* Fax: (914) 422 - 1471

Damon A. Amadio, P.E.  
Commissioner

Kevin M. Hodapp, P.E.  
Deputy Commissioner

TO THE HONORABLE THOMAS M. ROACH, MAYOR  
AND MEMBERS OF THE COMMON COUNCIL OF THE  
CITY OF WHITE PLAINS

Submitted, herewith for your review and appropriate action, pursuant to Section 6.4, 6.5 and 6.7.10 of the White Plains Zoning Ordinance, is an application filed on June 22, 2016 on behalf of Alex Lounge Bar & Grill, for a Special Permit for an "Accessory Cabaret" use at the Alex's Lounge, 213 East Post Road, White Plains, New York. The present and future use of the property is an Assembly (A-2) use group and is located within CB-1 Zoning District.

The Department of Building has reviewed the application for zoning compliance only and advises as follows:

A.) PROPOSED USE

The initial application for a Cabaret is a Special Permit Use subject to Common Council approval following a public hearing. Subsequent renewals are processed directly by the Department of Building.

B.) SEPARATION STANDARD

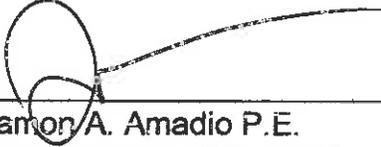
Section 6.7.10 of the Zoning Ordinance requires that "cabarets shall not be located within 150 feet of any residential district line." The premises are located within a CB-1 Zoning District. The proposed cabaret to be established is approximately 300 feet from the RM-0.35 Residential District along Mitchell Place..

C.) PARKING

These premises are legally non-conforming with regard to providing required parking. The parking requirement for the proposed cabaret is the same as for the existing restaurant/bar.

This information is sufficient for referral to appropriate city departments and boards for review.

Respectfully Submitted,



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Damon A. Amadio P.E.  
Commissioner of Building

Dated: June 27, 2016  
(For the July 5, 2016 Common Council meeting)

Submission: A letter from Mr. Alejandro Tepetitla dated June 16, 2016; a Short Form Building Permit Application dated June 22, 2016; a Short Environmental Assessment Form dated June 6, 2016 and architectural plans A-001, A-002 and A-003 dated April 14, 2016 as prepared by Peter Klein Associates Architects.



**DEPARTMENT OF BUDGET**

Municipal Building - 255 Main Street - White Plains, New York 10601

TEL: (914) 422-1365 - Fax: (914) 422-1440

Michael A. Genito, Budget Director

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**To the Honorable Mayor and Members of the Common Council of the City of White Plains**

Transmitted herewith is the City's Summary Adopted Budget for Fiscal Year 2016-2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael A. Genito".

Michael A. Genito  
Budget Director

Dated: July 5, 2016