

**COMMON COUNCIL
AGENDA
REGULAR STATED MEETING
AUGUST 1, 2016
7:30 P.M.**

PLEDGE TO THE FLAG: Hon. Beth Smayda

ROLL CALL: City Clerk

APPOINTMENT:

1. Communication from Council President in relation to the re-appointment of J. Gregory Drummond as a member of the Board of Assessment Review to a term which will expire on September 30, 2020. **F/S/A**

PUBLIC HEARINGS:

2. 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. **OPENED/CONTINUED TO SEPTEMBER 6, 2016**
3. Communication from Commissioner of Building. **F/S AND REFERRED TO LAW, BUILDING DEPT., PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., CONSERVATION BOARD, WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**
4. Resolution of the Common Council of the City of White Plains noticing a public hearing for September 6, 2016, in relation to an ordinance amending an ordinance entitled, "The Zoning Ordinance of the City of White Plains" by adding "Nursery Business" as a Special Permit Use and adding "Organic Manufacturing as a Principally Permitted Use. **ADOPTED**

**FIRST READING
ORDINANCES:**

5. Communication from Corporation Counsel in relation to the settlement of certain tax

review proceedings. **HELD**

6. Ordinance authorizing the settlement of certain tax review proceedings. **OFFERED ONLY**
7. Communication from Corporation Counsel in relation to a second amendment to the Parking and Operation and Maintenance Agreement for the City Center Parking Garage. **HELD**
8. Ordinance authorizing the Mayor to execute a second amendment to the Parking and Operation and Maintenance Agreement by and among, City of White Plains, White Plains Center Local Development Corporation, LC White Plains LLC, and KRG White Plains City Center, LLC. **OFFERED ONLY**
9. Communication from Corporation Counsel in relation to the granting of a non-exclusive franchise agreement to Mobilitie, LLC, to construct, erect, operate and maintain a wireless and fiber optic telecommunications system in the City of White Plains. **HELD**
10. Ordinance granting a non-exclusive franchise agreement to Mobilitie, LLC, to construct, erect, operate and maintain a wireless and fiber optic telecommunications system in the City of White Plains. **OFFERED ONLY**
11. Communication from Chairman, Capital Projects Board, in relation to Capital Project No. C5468, Garage Elevator Maintenance. **HELD**
12. Ordinance of the Common Council of the City of White Plains to amend the Capital Projects Fund by amending Capital Project No. C5468, Garage Elevator Maintenance. **OFFERED ONLY**
13. Bond Ordinance dated August 1, 2016, authorizing the issuance of \$1,898,800 aggregate principal amount serial bonds of the City of White Plains, County of Westchester, State of New York, to finance the additional costs of the installation or reconstruction of an elevator system in a Class A Building. **OFFERED ONLY**
14. Communication from Commissioner of Public Works in relation to a PAVE-NY Grant in the amount of \$163,200 from the New York State Transportation Plan to be used for resurfacing various roads throughout the City. **HELD**
15. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to accept a grant from the New York State PAV-NY Program. **OFFERED ONLY**
16. Communication from the Mayor in relation to the appointment of Corporation Counsel and Chief of Staff John G. Callahan as Acting City Clerk in the temporary absence of the City Clerk. **HELD**

17. Ordinance of the Common Council of the City of White Plains authorizing, pursuant to Section 50 of the Charter of the City of White Plains, the appointment of Corporation Counsel and Chief of Staff John G. Callahan as Acting City Clerk in the temporary absence of the City Clerk. **OFFERED ONLY**
18. Communication from Commissioner of Finance in relation to transfers in the Fiscal Year 2015-2016 budgets of the Parking Department and the Office of the Mayor. **HELD**
19. Ordinance of the Common Council of the City of White Plains authorizing the Mayor to direct the Budget Director to make certain transfers in the Fiscal Year 2015-2016 Budget of the Parking Department and to amend the Fiscal Year 2015-2016 Budget of the Office of the Mayor. **OFFERED ONLY**
20. Communication from Commissioner of Finance in relation to a transfer of funds in the Youth Bureau Budget to recognize contributions and expenditures in the Youth Employment Services Program for Fiscal Year 2015-2016. **HELD**
21. Ordinance of the Common Council of the City of White Plains authorizing the Mayor to direct the Budget Director to amend the Youth Bureau Budget to recognize contributions and expenditures for the Youth Employment Services Program for Fiscal Year 2015-2016, and to direct the Budget Director to make certain transfers in the Fiscal Year 2015-2016 Youth Bureau Budget. **OFFERED ONLY**
22. Communication from Commissioner of Public Safety in relation to a grant in the amount of \$8,000 from the New York State Governor's Traffic Safety Committee to be used for the Pedestrian Safety Initiative. **HELD**
23. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to execute grant documents on behalf of the City of White Plains in relation to the acceptance of a Pedestrian Safety Initiative Grant in the amount of \$8,000 from the New York State Governors' Traffic Safety Committee, to be used for law enforcement purposes to reduce the number of accidents with injuries involving pedestrians that are largely due to driver inattention and traffic violations, such as unsafe speed and failure to yield to pedestrians. **OFFERED ONLY**
24. Communication from Commissioner of Parking in relation to a three year contract with Complus Data Innovations, Inc., to provide parking ticket processing services. **HELD**
25. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into a three year contract with Complus Data Innovations, Inc., ("CDI") to provide full service parking ticket processing services. **OFFERED ONLY**

26. Communication from Chairman, Transportation Commission, in relation to proposed amendments to the Traffic Ordinance at various locations around the City. **HELD**
27. Ordinance amending the Traffic Ordinance of the City of White Plains in relation to modifying a ‘No Parking Any Time’ Zone on the west side of North Kensico Avenue; modifying a “Two Hour Parking” Zone on the west side of North Kensico; creating a “No Parking Any Time” Zone on the west side of Westchester Street; and creating a “One Way Street” for the Public Safety Headquarters. **OFFERED ONLY**

RESOLUTIONS:

28. Communication from Corporation Counsel in relation to the application submitted by Alex’s Lounge Bar and Grill for a Special Permit for an Accessory Cabaret at 213 East Post Road and scheduling a public hearing for September 6, 2016. **F/S**
29. Resolution of the Common Council of the City of White Plains scheduling a public hearing for September 6, 2016, in relation to the application submitted by Alejandro Tepetitla for a Special Permit to operate an Accessory Cabaret at Alex’s Lounge Bar and Grill, Inc., located at 213 East Post Road. **ADOPTED 6 - 0. ABSENT: Mr. Kirkpatrick**
30. Communication from Commissioner of Building in relation to an agreement between the City of White Plains and the New York State Historic Preservation Office authorizing a Certified Local Government Agreement. **F/S**
31. Resolution of the Common Council of the City of White Plains authorizing the Mayor to enter into an agreement with the New York State Historic Preservation Office. **ADOPTED 6 - 0. ABSENT: Mr. Kirkpatrick**
32. Communication from Commissioner of Recreation and Parks in relation to a license agreement between the City of White Plains and Bensidoun USA, Inc., for the purposes of operating a Winterfest Event on real property owned by the City. **F/S**
33. Ordinance of the Common Council of the City of White Plains authorizing the Mayor or his designee to enter into a license agreement between the City of White Plains and Bensidoun USA, Inc., for the purposes of operating a Winterfest Event on real property owned by the City. **ADOPTED 6 - 0. ABSENT: Mr. Kirkpatrick**

ITEM FOR REFERRAL:

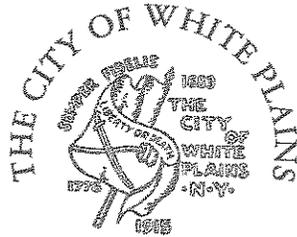
34. Communication from Commissioner of Building in relation to an application submitted on behalf of Westchester Healthcare Properties, Inc., for a one year extension to a previously approved site plan for the construction of a Skilled Nursing Facility at 120 Church Street. **F/S AND REFERRED TO LAW, BUILDING DEPT., DESIGN REVIEW**

BOARD, PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.

35. Communication from Commissioner of Building in relation to a petition submitted on behalf of WP Development NB, LLC, to amend the Zoning Ordinance to permit the re-development of 52 North Broadway to include multi-family rental housing units, graduate or professional school housing, and an assisted living/memory care facility. **F/S AND REFERRED TO LAW, PLANNING BOARD AND ENVIRONMENTAL OFFICER.**
36. Communication from Commissioner of Building in relation to an application submitted on behalf of WPP Owners LLC, owners of White Plains Plaza, for a site plan amendment to renovate the Plaza area facing Main Street, at One North Broadway and 445 Hamilton Avenue, a Special "S" Zone. **F/S AND REFERRED TO LAW, BUILDING DEPT., DESIGN REVIEW BOARD, PLANNING DEPT., PLANNING BOARD, PUBLIC SAFETY, PUBLIC WORKS, TRAFFIC DIVISION, TRANSPORTATION COMMISSION, PARKING DEPT., CONSERVATION BOARD, WESTCHESTER COUNTY PLANNING BOARD AND ENVIRONMENTAL OFFICER.**

ITEMS FOR INFORMATION:

37. Communication from Commissioner of Building transmitting a communication from the Chairperson of the Historic Preservation Commission and a resolution of the Commission recommending that the structure at 60 Park Avenue be designated as a Local Landmark. **F/S**



COMMON COUNCIL
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
Office: (914) 997-2747 Fax: 914-422-3636

John Kirkpatrick
Council President

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

The Common Council is pleased to recommend the re-appointment of J. Gregory Drummond to the Board of Assessment Review to a term which will expire on September 30, 2020.

Sincerely,

John Kirkpatrick
Council President

July 21, 2016

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

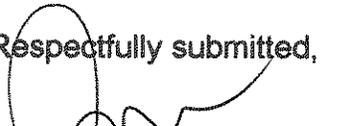
TO THE HONORABLE THOMAS M. ROACH, MAYOR
AND MEMBERS OF THE COMMON COUNCIL OF THE
CITY OF WHITE PLAINS

Submitted herewith, for your review and appropriate action including scheduling a public hearing, is a revision to an ordinance amending an ordinance entitled The Zoning Ordinance of the City of White Plains with respect to "Nursery Businesses" and "Organic Manufacturing".

City staff was made aware of concerns raised by the public regarding the potential proximity of organic manufacturing to neighboring residential properties. The purpose of this revision is to address this issue by incorporating a requirement for a minimum 300 foot setback between any organic manufacturing operation and the nearest residential zoning district Line.

Referral may be made to the appropriate departments and boards for review.

Respectfully submitted,


Damon A. Amadio P.E.
Commissioner of Building

Date: July 19, 2016
(For the August 1, 2016 Common Council Meeting)

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED
"THE ZONING ORDINANCE OF THE CITY OF WHITE
PLAINS" BY ADDING "NURSERY BUSINESS" AS A
SPECIAL PERMIT USE AND ADDING "ORGANIC
MANUFACTURING" AS A PRINCIPALLY PERMITTED USE.

WHEREAS, the commercial and industrial use of land for the operation of "organic manufacturing," as defined herein, shall be deemed injurious to the public health and welfare in residential zones; and

WHEREAS, the commercial and industrial use of land for the operation of "organic manufacturing" located in residential zoning districts interferes with the use and enjoyment of residential properties by creating noxious fumes and odors during the decomposition process associated with the production of mulch, wood chips, top soil and the processing of other raw material necessary for "organic manufacturing;" and

WHEREAS, the commercial and industrial use of land for the operation of "organic manufacturing" located in residential zoning districts interferes with the use and enjoyment of residential properties by creating negative visual impacts from the use and storage of industrial equipment, storage of raw materials and the presence of steam and/or vapor generated during the decomposition process, which occurs during the manufacturing of mulch and other organic materials; and

WHEREAS, the commercial and industrial use of land for the operation of "organic manufacturing" located in residential zoning districts interferes with the use and enjoyment of residential properties by creating dust and airborne irritants that spreads to adjoining properties; and

WHEREAS, the commercial and industrial use of land for the operation of "organic manufacturing" located in residential zoning districts interferes with the quiet use and enjoyment of residential properties by creating noise that is generated from the use of commercial and industrial equipment utilized in the grinding and processing of raw materials into products such as mulch, topsoil, gravel and woodchips; and

WHEREAS, the commercial and industrial use of land for the operation of "organic manufacturing" located in residential zoning districts is a safety hazard because of the potential combustibility of the materials associated with "organic manufacturing;" and

WHEREAS, the City of White Plains hereby declares its legislative intent to prohibit the commercial and industrial use of land in residential districts for the operation of "organic manufacturing" and to provide an orderly mechanism for the abatement of this type of non-conforming use of real property being used for commercial purposes located in the residential zoning districts within the City; and

WHEREAS, the City of White Plains further declares that such use of land permitting the operation of “organic manufacturing” is incompatible with and negatively impacts the principally permitted residential uses within the residential districts; and

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

Section 1. The Zoning Ordinance of the City of White Plains, as adopted June 1, 1981 and as amended to date, be and it hereby is amended to add provisions regulating “Nursery Business” and “Organic Manufacturing” as follows:

A. Section 2.4 Definitions.

is hereby amended to add the following terms to read as follows:

“Nursery Business”

An establishment, whose primary purpose is the sale and cultivation of trees, shrubs and other plants, including the replanting of said plants grown off-site, and the sale of accessory items such as mulch, fertilizer, top soil, loam, fill, gravel, stone, herbicides, pesticides, lawn tools and lawn, home and garden decorations. “Nursery Business” shall not include the processing or manufacturing of products such as, but not limited to, mulch, fertilizer, topsoil, loam, fill, gravel or stone.

“Manufacturing, Organic”

The processing or manufacturing of products predominately from extracted raw materials, including, but not limited to, outdoor manufacturing, screening, or crushing of raw materials into compost, mulch, fertilizer, topsoil, gravel or fill, primarily for commercial resale.

B. Section 4.3.1, Continuing Existing “Uses,” “Buildings,” and Structures.”

is hereby amended by adding sections 4.3.1.3 and 4.3.1.4 to read as follows:

4.3.1.3 Section 4.3.1.2 notwithstanding, any “use” currently existing and meeting the definition of “Nursery Business,” whether a permitted use, special permit use or non-conforming use, shall conform with all of the requirements of the Zoning Ordinance by May 31, 2021, or cease operations.

4.3.1.4 All non-conforming uses in the residential districts meeting the definition of “Organic Manufacturing” shall cease and be discontinued on or before May 31, 2021.

C. Section 5.1, Schedule of “Use” Regulations

is hereby amended as follows:

1. BUSINESS

by adding a use column before “Mortuaries or funeral homes”, titled “Nursery Business,” as shown on the attached Schedule.

2. INDUSTRIAL

by adding a use column before “Research, experimental or testing laboratories”, titled “Organic Manufacturing,” as shown on the attached Schedule.

D. Section 5.2, List of Use Regulations,

1. Districts C-O and PCD, are hereby amended by adding a use column before “public utility buildings or structures” labeled “Nursery Business” and by adding a type column labeled “SP”.

2. District LI, is hereby amended by adding a use column before research, experimental or testing laboratories to read as follows: “Organic Manufacturing” if more than 300 feet away from a residential zoning district, and adding a type column labeled “PP”.

E. Section 6.2 Approving Agencies,

is hereby amended by adding Section 6.2.2.10 to read “Nursery Business.”

F. Section 6.5 Standards,

is hereby amended by adding Section 6.5.5 to read as follows:

6.5.5 Violations. It shall be unlawful for any entity or person issued a special permit “use” to operate such “use” in violation of the terms and standards of Section 6.7, or to operate in a manner inconsistent with the conditions imposed or plans approved pursuant to Section 6 of this Ordinance.

G. Section 6.7, Individual Standards and Requirements for Certain Special Permit “Uses,”

is hereby amended by adding section 6.7.32 “Nursery Business” to read as follows:

6.7.32.1 Site material, including but not limited to mulch, top soil, wood or stone shall not be higher than 15 feet and may not be located in any required yard setback.

6.7.32.2 Piles shall be kept moist and mechanically ventilated (turned over) to release heat as required to maintain a temperature no greater than 170 degrees Fahrenheit and separated from adjacent piles by walls or bins of non-combustible construction.

6.7.32.3 Rows of material piles shall be accessible by approved fire apparatus access roads. In addition, the ground surface between

piles of processed tree debris must be kept free of combustible materials.

6.7.32.4 Side and rear yards shall contain a minimum 10' landscaped buffer and site material shall be screened by 8' high solid panel fencing and/or 10' high evergreen landscaping.

6.7.32.5 Internal roadway/driveway must accommodate on-site deliveries and have proper space for turning movements to prevent backing onto or from public roadways.

6.7.32.6 All on-site equipment with back-up alarms shall be variable volume type.

6.7.32.7 In addition to the requirements of Section 7 of the Zoning Ordinance, a site plan depicting the location and quantity of outdoor storage of materials, including seasonal storage of materials and displays, must be submitted and approved.

H. Section 8.3, Schedule of Parking and Loading Requirements, is hereby amended by adding a column before "Mortuaries or funeral homes" labeled "Nursery Business" requiring 8 spaces per acre and 1 loading space per two acres.

I. Section 10.3.4, "Non-Conforming Uses" is hereby amended to read as follows:

10.3.4 As more fully set out in Section 4.3 of this Ordinance, the Board of Appeals is authorized to:

10.3.4.1 Extend the permitted period for cessation of a "non-conforming use" in accordance with the requirements of Section 4.3.1.3 and/or Section 4.3.2.5 of this Ordinance provided:

10.3.4.1.1 An application is made by the owner of at least 120 days prior to the date on which the activities of the use are required to cease and be discontinued.

10.3.4.1.2 Substantial financial expenditures related to the prohibited activities were made during the two year period prior to May 31, 2016. Financial expenditures shall mean the capital outlay made by the applicant to establish the prohibited activities, exclusive of the fair market value of the building in which such activity may be located and exclusive of any improvements unrelated to the prohibited activities.

10.3.4.1.3 The Applicant has not substantially recovered all of the financial expenditures related to the prohibited activities as demonstrated by competent financial evidence.

10.3.4.1.4 The period for which such establishment is permitted to continue is the minimum period sufficient for the applicant

to recover substantially all of the financial expenditures incurred related to the prohibited activities but in no case may the period extend beyond an additional three years.

§ 2. This Ordinance shall take effect immediately.

Section 5.1

ZONING DISTRICTS	
"USES"	R1-30
	R1-20
	R1-12.5
	R1-7.5
	R1-5
	R2-4
	R2-2.5
	RM-2.5
	RM-2
	RM-1.5
	RM-1.5T
	RM-1
	RM-0.7
	RM-0.4
	RM-0.35
	C-O and PCD
	O-R
	B-1
	B-2
	B-3
	BR-1
BR-2	
CB-1	
CB-2	
CB-3	
CB-4	
UR-4	
B-6	
LI-M	
LI	
BUSINESS	SP
"Nursery Business	
INDUSTRIAL	
"Organic Manufacturing" if more than 300 feet away from a residential zoning district.	PP

Section 5.2

District: C-O and PCD

USE	TYPE
"Multi-family dwellings" in a "Planned Campus Development" as regulated by Section 5.9	PP
The keeping of "household pets" in a "Planned Campus Development" as regulated by Section 5.9	PA
Commercial indoor "recreation facilities"	SP
"Health Clubs"	SP
Health maintenance, rehabilitation and fitness centers not operated as "Health Clubs"	SP
Auditoria	PA
"Membership clubs"	SP
Accessory "swimming pools" as regulated by Sections 4.4.24 and 6.7.3	SP
Accessory tennis courts, paddle tennis courts or other similar courts	SP
Accessory "dish antennas" as regulated by Sections 4.4.23 and 6.7.21	SP
Churches or other places of worship	PP
Sunday schools or other similar religious schools	PA
Parish houses or rectories	PA
"Uses" of the City of White Plains	PP
"Uses" of other governments, subject to the requirements of Section 5.6	PP
"Public schools"	PP
"Private secondary" or "elementary schools"	SP
"Nursery schools" or "day care centers"	SP
"Nursery schools" or "day care centers" in conjunction with a permitted church or other place of worship, "membership club," or "public" or "private secondary" or "elementary school"	PA
Independent, unaffiliated "nursery schools" or "day care centers" located within a permitted church, other place of worship, "membership club," or "public" or "private secondary" or "elementary school"	SP
"Universities," "colleges" or seminaries	PP
Business or professional offices	PP
"Planned Campus Development" as regulated in Section 5.9 "Planned Campus Development"	
Offices for individual or group education, training or counseling in "buildings" containing no residential "uses"	PP
Office in residence of a "professional person" as regulated by Section 5.4.2 and Section 5.9 "Planned Campus Development"	PA

District: C-O and PCD

USE	TYPE
Business, administrative or headquarters offices for "philanthropic institutions"	PP
Scientific research, excluding manufacturing of products for sale on premises	SP
Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including "real estate offices," but not including sales of automobiles, automobile parts or accessories involving installation at point of sale	PA
Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including "real estate offices," in a "Planned Campus Development" as regulated in Section 5.9, but not including sales of automobiles, automobile parts or accessories involving installation at point of sale	PP
"Retail laundries" or "retail dry cleaners"	PP
Banks	PP
"Consumer financial services establishments"	PP
Business or trade schools	PP
Libraries, museums or art galleries	PP
"Hotels"	SP
"Extended Stay Hotels"	SP
Newsstands	PA
"Restaurants" and "cafeterias"	SP
Outdoor dining	SP
"Restaurants" or "cafeterias" for employees	PA
"Cafes"	PP
"Accessory electronic games"	PA
Motor vehicle sales or rental, including accessory "repair shops," or accessory outdoor storage of motor vehicles for sale or rental in a "Planned Campus Development" as regulated in Section 5.9	SP
Medical laboratories	PP
"Nursery Business"	SP
"Public utility buildings or structures"	SP
"Private garages," carports or open parking for private passenger cars	PA
"Parking lots" or "parking garages"	PA
Commercial "parking lots" for private passenger vehicles, but not for storage of used or new motor vehicles for sale or for hire	SP
"Parking lots" or "parking garages" of the City of White Plains	PP
Stacked attendant parking	SP

District: LI

USE	TYPE
Commercial indoor "recreation facilities"	PP
"Health clubs"	SP
Theaters	PP
Accessory "dish antennas" as regulated by Sections 4.4.23 and 6.7.21	SP
Churches or other places of worship	PP
Sunday schools or other similar religious schools	PA
Parish houses or rectories	PA
Convents	PP
"Uses" of the City of White Plains	PP
"Uses" of other governments, subject to the requirements of Section 5.6	PP
"Nursery schools" or "day care centers" in conjunction with a permitted church or other place of worship, "membership club," or "public school" or "private secondary or elementary school"	PA
Independent, unaffiliated "nursery schools" or "day care centers" located within a permitted church or other place of worship, "membership club," or "public school" or "private secondary or elementary school"	SP
Business or professional offices	PP
Offices for group education, training or counseling in "buildings" containing no residential "uses"	PP
Business, administrative or headquarters offices for "philanthropic institutions"	PP
Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including "real estate offices," but not including sales of automobile parts or accessories involving installation at point of sale	PP
"Retail laundries" or "retail dry cleaners"	PP
Banks	PP
Business or trade schools	PP
Newsstands	PA
Radio stations	PP
"Restaurants" or "cafeterias"	PP
"Fast food eating establishments"	SP
"Restaurants" or "cafeterias" for employees	PA
"Cafes"	PP
"Accessory electronic games"	PA
Veterinary hospitals, including boarding or care of small animals	PP
Motor vehicle sales or rental, including accessory "repair shops," service stations" or outdoor storage of motor vehicles	SP

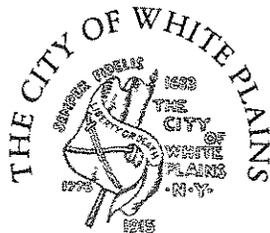
District: LI

USE	TYPE
Motor vehicle "service stations"	SP
"Motor vehicle "repair shops"	SP
Auto laundries	SP
Manufacturing, fabrication, finishing or assembling of products	PP
"Organic Manufacturing," if more than 300 feet away from a residential zoning district	PP
Research, experimental or testing laboratories	SP
Medical laboratories	PP
Printing plants	PP
Wholesale businesses, storage or warehousing	PP
"Mini-storage facility"	PP
Outdoor storage of building or other materials	SP
Outdoor storage of commercial or industrial vehicles or construction equipment	PP
Laundry or dry cleaning plants	PP
"Public utility buildings or structures"	PP
Automobile wrecking, storage or treatment of junk, iron, bottles, scrap paper or similar materials, provided operations are within a "building" and the "use" is legally existing as of the effective date of this Ordinance	SP
"Private garages," carports or open parking for private passenger vehicles	PA
"Parking lots" or "parking garages"	PA
Commercial "parking lots" for private passenger vehicles, but not for storage of used or new motor vehicles for sale or for hire	SP
"Parking lots" or "parking garages" of the City of White Plains or its Parking Department	PP

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS NOTICING A PUBLIC HEARING FOR SEPTEMBER 6, 2016 IN RELATION TO AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "THE ZONING ORDINANCE OF THE CITY OF WHITE PLAINS" BY ADDING "NURSERY BUSINESS" AS A SPECIAL PERMIT USE AND ADDING "ORGANIC MANUFACTURING" AS A PRINCIPALLY PERMITTED USE.

RESOLVED, that the public hearing commenced on June 6, 2016, adjourned until July 5, 2016 and August 1, 2016 be continued on September 6, 2016, at 7:30 p.m. before the Common Council of the City of White Plains in the Common Council Chamber, Municipal Building, 255 Main Street, White Plains, New York, in relation to an Ordinance Amending an Ordinance Entitled "The Zoning Ordinance of the City of White Plains" by adding "Nursery Business" as a Special Permit Use and adding "Organic Manufacturing" as a Principally Permitted Use;" and be it further

RESOLVED, that the City Clerk be and hereby is directed to give due notice of such hearing.



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

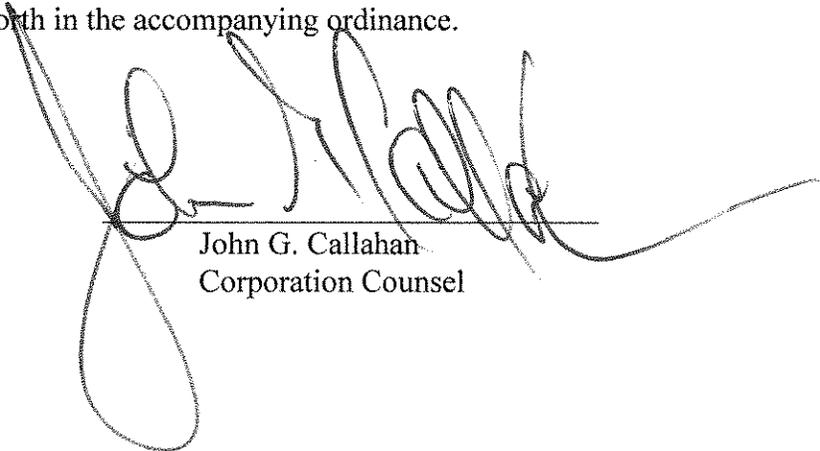
CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

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, 90-98 East Post Road and 1-13 Greenridge Avenue, 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: July 25, 2016
(For the Common Council Meeting
of August 1, 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:

Moody National White Plains, MT, LLC
5 Barker Avenue
SBL: 125.67-1-2..1-2..5,2..7-2..9, 2..11-2..15,2..17-2,,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..100, 2..102, 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>
2010/11	\$ 914,500	\$ 668,500	\$ 246,000	\$ 41,283.72
2011/12	\$ 914,500	\$ 914,500	\$ 0	\$ 0.00
			Total:	<u><u>\$ 41,283.72</u></u>

Andmar Development Corp.
90-98 East Post Road
SBL: 125.83-3-8

<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>
2011/12	\$ 80,000	\$ 76,000	\$ 4,000	\$ 704.44
2012/13	\$ 83,000	\$ 79,000	\$ 4,000	\$ 737.88
2013/14	\$ 83,000	\$ 80,000	\$ 3,000	\$ 575.22
2014/15	\$ 83,000	\$ 75,000	\$ 8,000	\$ 1,569.12
2015/16	\$ 83,000	\$ 73,000	\$ 10,000	\$ 2,007.40
2016/17	\$ 83,000	\$ 72,000	\$ 11,000	\$ 2,210.45
			Total:	<u>\$ 7,804.51</u>

Greenridge Estates Condominium
1-13 Greenridge Avenue
SBL: 130.28-9-1..1-1..83

<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>
2009/10	\$ 197,000	\$ 177,000	\$ 20,000	\$ 3,141.20
			Total:	<u>\$ 3,141.20</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.

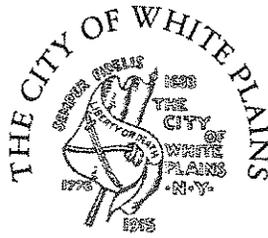
NOW, THEREFORE, the Common Council of The City of White Plains hereby ordains and enacts as follows:

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

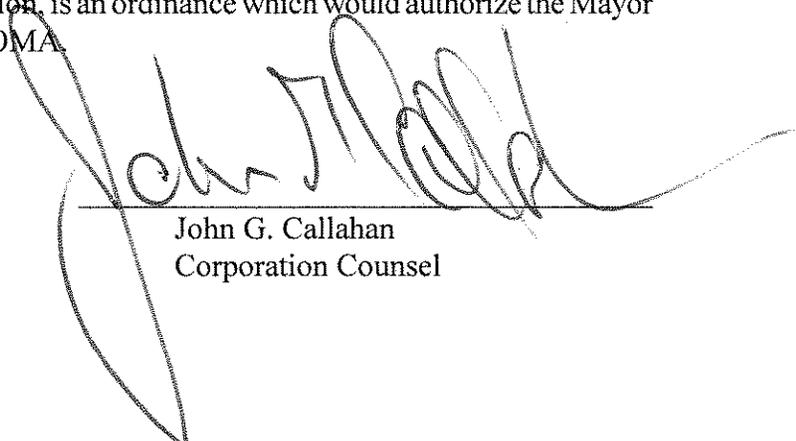
DANIEL K. SPENCER
Deputy Corporation Counsel

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

The City of White Plains ("the City"), the White Plains Center Local Development Corporation ("the LDC"), LC White Plains, LLC ("LCWP"), and the White Plains Parking Authority entered into a Parking and Operation and Maintenance Agreement dated as of April 24, 2002 (the POMA") related to the City Center Parking Garage. Pursuant to Chapter 136 of the Laws of 2004 of the State of New York, the White Plains Parking Authority was dissolved, effective June 30, 2004, and the City of White Plains thereafter succeeded to all its rights and obligations. The POMA was previously amended by an agreement dated May 13, 2013.

The City, the LDC and LCWP desire to amend the Parking and Operation and Maintenance Agreement to authorize KRG White Plains City Center, LLC to improve and upgrade the areas around the elevators in the City Center Parking Garage closest to the City Center as well as maintain those areas upon becoming a signatory to the POMA and the imposition of appropriate conditions to protect the interests of the City in maintaining the City Center Garage.

Submitted herewith for your consideration, is an ordinance which would authorize the Mayor to execute such a second amendment to the POMA.



John G. Callahan
Corporation Counsel

Dated: July 22, 2016 (For the Common
Council Meeting of August 1, 2016)

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO THE PARKING AND OPERATION AND MAINTENANCE AGREEMENT BY AND AMONG, CITY OF WHITE PLAINS, WHITE PLAINS CENTER LOCAL DEVELOPMENT CORPORATION, LC WHITE PLAINS, LLC. AND KRG WHITE PLAINS CITY CENTER, LLC

WHEREAS, the City of White Plains ("the City"), the White Plains Center Local Development Corporation ("LDC") and LC White Plains, LLC ("LCWP") and the White Plains Parking Authority ("WPPA") entered into a Parking Operation and Maintenance Agreement dated April 24, 2002, ("POMA") setting forth their obligations concerning operation and maintenance of the City Center Garage ("the Parking Garage"); and

WHEREAS, the WPPPA, pursuant to Chapter 136 of the Laws of 2004 of the State of New York, was dissolved, effective June 30, 2004, and the City of White Plains thereafter succeeded to all its rights and obligations; and

WHEREAS, the City, the LDC and LCWP previously amended the POMA by an agreement dated May 13, 2013; and

WHEREAS, KRG White Plains City Center, LLC (KRG) has obtained LCWP's interest in operating the White Plains City Center, the commercial development adjacent to the Parking Garage which is the subject of the POMA; and



WHEREAS, KRG wishes to integrate the area in the Parking Garage around the elevators closest to the City Center into the commercial structure without interfering with the operation of the parking garage;

WHEREAS, in connection with integrating said area(s), KRG also desires to improve and upgrade said area(s), as well as to assume the maintenance thereof except for the main operating elements of the Parking Garage such as the elevators and the escalators; and

WHEREAS, the City, the LDC and LCWP have no objection to integrating those Elevator Lobbies into the City Center as long as it does not interfere with the operation of the parking garage nor increase the operational costs of the parking garage and KRG becomes a signatory to the POMA; and

WHEREAS, the City, the LDC, LCWP and KRG desire to further amend the POMA to modify certain terms thereof relating to the improvement and maintenance of certain elevator lobbies to be maintained by KRG, an entity related to LCWP; and

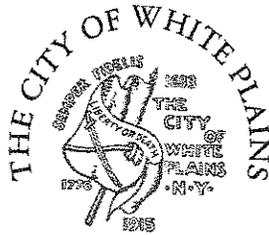
WHEREAS, allowing KRG to improve and maintain the aforesaid elevator lobbies would appear to be in the best interests of the City.

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

Section 1. The Mayor is hereby authorized to execute a second amendment to the Parking and Operation and Maintenance Agreement dated April 24, 2002 among the City of White Plains, the White Plains Center Local Development Corporation and LC White Plains, LLC, as previously amended in an agreement dated May 13, 2013, authorizing KRG White Plains City Center, LLC to improve and upgrade the area in the Parking Garage around the elevators closest to the City Center and to assume the maintenance thereof except for the main operating elements of the Parking Garage, such as the elevators and the escalators, provided KRG White Plains City Center, LLC agrees to become a signatory to said Parking and Operation and Maintenance Agreement and upon the imposition of appropriate conditions to protect the interests of the City in maintaining the City Center Garage.

§2. The second amendment to said Parking and Operation and Maintenance Agreement shall be in a form to be approved by the Corporation Counsel.

§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

By letter dated March 21, 2016, addressed to the Commissioner of Public Works, as clarified by their letter of July 25, 2016, addressed to the Mayor and Members of the Common Council, Mobilitie ("Mobilitie") applied for a franchise to develop a wireless and fiber optic telecommunications system in White Plains. Mobilitie has received a Certificate of Public Convenience and Necessity to operate as a facilities based common carrier and reseller of telephone services from the New York State Public Service Commission.

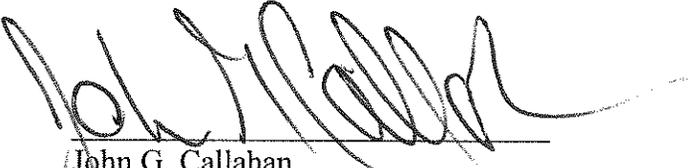
After reviewing the application in accordance with the City's Telecommunications Ordinance adopted on December 1, 1997 and the federal Telecommunications Act of 1996, the Law Department has conferred with representatives of Mobilitie and the Department of Public Works with respect to the negotiation and drafting of a franchise agreement to be granted by the City.

Under the terms of the proposed franchise agreement ("the Agreement"), Mobilitie would be granted a fifteen (15) year non-exclusive franchise, with the option to renew the franchise for an additional term of ten (10) years. Mobilitie has offered to pay five hundred dollars per pole for the right to install optical repeaters and associated equipment in the right-of-way. In addition, if Mobilitie places any of its optical repeaters and associated equipment upon municipal equipment the City will be paid an additional five hundred (\$500) per year per municipal pole. Both of these fees shall be increased every two years thereafter by an increment of five (5%) per period over the latest annual fee. In addition, if Mobilitie installs fiber optic cable in the right of way in the future, the City of White Plains shall receive compensation based upon the amount of fiber optic cable and conduit approved for installation as of the anniversary date of this agreement as follows (i.e., \$.58 per linear feet for overhead wires; \$1.88 per linear feet for use of an inner duct in 4" diameter conduit and \$5.64 linear feet for 4" diameter conduit and such fees shall be increased every two years thereafter by an increment of five (5%) per period over the latest annual fee.) Further, either party may request renegotiation of the Agreement once, at any one time during the agreement, upon six(6)

months notice to the other party based upon changes in technological, legal, regulatory or market conditions which have occurred since the execution of the Agreement.

The terms and conditions of the proposed franchise agreement are substantially similar to those contained in the City's existing franchise and license agreements with telecommunications providers.

Submitted for your consideration is an ordinance which grants Mobilitie's application for a non-exclusive franchise and authorizes the Mayor to execute the aforementioned agreement.



John G. Callahan
Corporation Counsel

Dated: July 25, 2016
(for the August 1, 2016 meeting
of the Common Council)

AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO MOBILITIE, LLC.
TO CONSTRUCT, ERECT, OPERATE AND MAINTAIN A WIRELESS AND FIBER OPTIC
TELECOMMUNICATIONS SYSTEM IN THE CITY OF WHITE PLAINS.

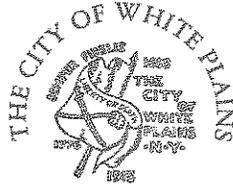
The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Common Council of the City of White Plains hereby grants to Mobilitie, LLC ("Mobilitie"), which has received a Certificate of Public Convenience and Necessity to operate as a facilities based provider and reseller of telephone services without authority to provide local exchange service from the New York State Public Service Commission, a non-exclusive franchise to construct, erect, operate and maintain a wireless and fiber optic telecommunications system in the City of White Plains pursuant to the terms and conditions of an agreement entitled "Wireless and Fiber Optic Telecommunications System Franchise Agreement between the City of White Plains and Mobilitie, LLC" Said agreement shall provide for a franchise term of fifteen (15) years and one ten (10) year renewal at Mobilitie's option. Mobilitie has offered to pay five hundred dollars per pole for the right to install optical repeaters and associated equipment in the right-of-way. In addition, if Mobilitie places any of its optical repeaters and associated equipment upon municipal equipment the City will be paid an additional five hundred (\$500) per year per municipal pole. Both of these fees shall be increased every two years thereafter by an increment of five (5%) per period over the latest annual fee In addition, if Mobilitie installs fiber optic cable in the right of way in the future, the City of White Plains shall receive compensation based upon the amount of fiber optic cable and conduit approved for installation as of the

anniversary date of this agreement as follows (i.e.,\$.58 per linear feet for overhead wires; \$1.88 per linear feet for use of an inner duct in 4" diameter conduit and \$5.64 linear feet for 4" diameter conduit and such fees shall be increased every two years thereafter by an increment of five (5%) per period over the latest annual fee) Further, either party may request renegotiation of the Agreement once, at any one time during the agreement, upon six(6) months notice to the other party based upon changes in technological, legal, regulatory or market conditions which have occurred since the execution of the Agreement.

§2. The Mayor is hereby authorized to execute the said agreement on behalf of the City of White Plains in a form to be approved by the Corporation Counsel.

§3. This ordinance shall take effect immediately.



**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 an amendment to Capital Project No. C5468 entitled, "Garage Elevator Modernization" in the amount of \$1,898,800. The amendment will provide funding for the modernization of an elevator in the Hamilton-Main Garage and one elevator in the Lexington Grove Garage. Design work authorized on November 15, 2016 by the Common Council has indicated that considerable structural rehabilitation is needed to accommodate the elevator modernization. The elevator upgrade includes the replacement of mechanical parts and controls and the renovation of the interior cabs.

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 amending Capital Project C5468, entitled "Garage Elevator Modernization," and to amend the project budget as follows:

INCREASE REVENUES:

C5468-08810	Serial Bonds	<u>\$1,898,800</u>
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INCREASE EXPENDITURES:

C5468-4.005	Finance and Auditing	\$ 18,800
C5468-8.106	Major Additions/Improvements	<u>1,880,000</u>
		<u>\$1,898,800</u>

It is also requested that the Mayor be authorized to direct the Commissioner of Finance to sell \$1,898,800 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

July 20, 2016

"The Birthplace of the State of New York"

www.whiteplainsny.gov

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ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS TO AMEND THE CAPITAL PROJECTS FUND BY AMENDING CAPITAL PROJECT NO. C5468, ENTITLED, "GARAGE ELEVATOR MAINTENANCE."

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

Section 1. The Capital Projects Board has recommended an amendment to Capital Project No. C5468, entitled "Garage Elevator Maintenance" to provide funding for the modernization of an elevator in the Hamilton-Main Garage and one elevator in the Lexington-Grove Garage.

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 project. Said contract(s) shall be in a form approved by the Corporation Counsel.

Section 3. In order to provide the necessary funding for such capital project, the Mayor is hereby authorized to direct the Budget Director to amend the Capital Projects Fund by amending Capital Project No. C5468, entitled "**Garage Elevator Maintenance,**" by amending the capital project budget as follows:

INCREASE REVENUES:

C5468-08810	Serial Bonds	<u>\$ 1,898,800</u>
-------------	--------------	---------------------

INCREASE EXPENDITURES:

C5468-4.005	Finance and Audit	\$ 18,800
C4468-8.106	Major Additions/Improvements	<u>1,880,000</u>
		<u>\$ 1,898,800</u>

Section 4. The Mayor is hereby further authorized to direct the Commissioner of Finance to authorize the sale of serial bonds totaling \$1,898,800 and to advance funds for this project, 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 AUGUST 1, 2016, AUTHORIZING THE ISSUANCE OF \$1,898,800 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE CITY OF WHITE PLAINS, COUNTY OF WESTCHESTER, STATE OF NEW YORK, TO FINANCE THE ADDITIONAL COSTS OF THE INSTALLATION OR RECONSTRUCTION OF AN ELEVATOR SYSTEM IN A CLASS A BUILDING.

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 installation or reconstruction of an elevator system in a Class A 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 \$606,000, for which no funds have heretofore been appropriated or borrowed, all in accordance with the Local Finance Law (the "Project"); and

WHEREAS, the City adopted a bond ordinance in the aggregate principal amount of \$606,000 on November 2, 2015 to finance the Project (the "2015 Bond Ordinance"); and

WHEREAS, the City has determined that additional structural building rehabilitation is required in conjunction with and as a part of the Project at an additional cost of \$1,898,800, such that the total cost of the Project is now \$2,504,800

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 \$1,898,800, pursuant to the Local Finance Law, in order to finance the additional 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 \$2,504,800, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project except \$606,000 aggregate principal mount serial bonds authorized in the 2015 Bond Ordinance, (c) the Common Council of the City plans to finance such costs of the Project from the proceeds of serial bonds authorized herein and in the 2015 Bond Ordinance 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 13 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 ten (10) years. The serial bonds authorized herein shall have a maximum maturity of ten (10) 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.

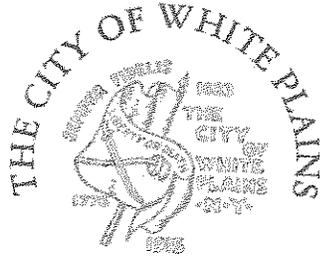
The City may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

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 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.



DEPARTMENT OF PUBLIC WORKS

MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NEW YORK 10601
(914) 422-1206 • FAX: (914) 422-1469

THOMAS M. ROACH
MAYOR

ANTHONY R. CARR, P.E., CFM
DEPUTY COMMISSIONER

RICHARD G. HOPE
COMMISSIONER

STEFANIA A. MIGNONE
DEPUTY COMMISSIONER

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

PAVE-NY is a new program included in the State Fiscal Year (SFY) 2015/16-2019/20 State Transportation Plan. It will assist municipalities with the rehabilitation and reconstruction of local highways and roads by providing \$100 million annually through SFY 2019-20.

The City's share of the PAVE-NY program is \$163,200. The Department of Public Works will use this money for re-surfacing of various roads throughout the city.

It is requested that the Mayor be authorized to direct the Budget Director to amend the 2016-17 General Fund budget as follows:

Increase Revenues

D014-02233	New York State Grant	\$163,200
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Increase Appropriations

D014-3.110	Asphalt Materials	\$163,200
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Respectfully submitted,

Richard G. Hope
Commissioner of Public Works

Dated: August 1, 2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS
AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A GRANT FROM THE NEW
YORK STATE PAVE-NY 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 is hereby authorized to accept funds in the amount of \$163,200 from the New York State Transportation Plan PAVE-NY Program.

Section 2. The Mayor is further authorized to direct the Budget Director to amend the FY 2016/2017 General Fund Budget to reflect the receipt and appropriation of this grant, as follows:

INCREASE REVENUE:

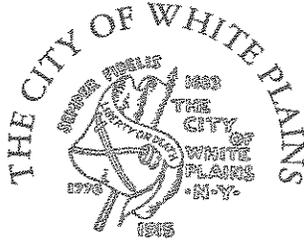
D014 - 02233	New York State Grant	<u>\$163,200.00</u>
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INCREASE EXPENDITURES:

D014 - 3.110	Asphalt Materials	<u>\$163,200.00</u>
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Section 3. The Mayor is hereby further authorized to direct the Commissioner of Finance to advance funds to this project from the General Fund, pending receipt of grant funds, and to receive and disburse funds accordingly.

Section 4. This ordinance shall take effect immediately.



**"The Birthplace of the State of New York"
OFFICE OF THE MAYOR**

**THOMAS M. ROACH
MAYOR**

t:914.422.1411
f:914.422.1395

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL

As you are aware, there is no present Deputy City Clerk. In order to ensure that the City Clerk's functions and duties are seamlessly carried out in the event of her temporary absence, I am requesting that you appoint Corporation Counsel John G. Callahan to serve as Acting City Clerk for any temporary absence.

Section 50 of the Charter of the City of White Plains provides such authority and explicitly states that in the case of the temporary absence of the City Clerk, if there be no Deputy City Clerk, the Common Council may appoint a City Clerk for the time being, who, on taking the required oath, shall possess the powers and perform the duties of the City Clerk during the continuance of such absence from office. Mr. Callahan shall receive no additional salary and compensation for serving as City Clerk.

Submitted herewith for your consideration is an ordinance, in accordance with Section 50 of the White Plains Charter, authorizing such temporary appointment of a City Clerk.

Sincerely,

Thomas M. Roach
Mayor

Dated: July 25, 2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING PURSUANT TO SECTION 50 OF THE CHARTER OF THE CITY OF WHITE PLAINS THE APPOINTMENT OF CORPORATION COUNSEL AND CHIEF OF STAFF JOHN G. CALLAHAN AS ACTING CITY CLERK IN THE TEMPORARY ABSENCE OF THE CITY CLERK.

WHEREAS, Anne M. McPherson, City Clerk of the City of White Plains, may be temporarily absent from her position due to vacation plans; and

WHEREAS, there is no present Deputy City Clerk for the City of White Plains; and

WHEREAS, Section 50 of the Charter of the City of White Plains provides that in case of the temporary absence of the City Clerk, if there be no Deputy City Clerk, the Common Council may appoint a City Clerk for the time being, who, on taking the required oath, shall possess the powers and perform the duties of City Clerk during the continuance of such absence from office; now, therefore,

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

Section 1. The Common Council of the City of White Plains hereby appoints Corporation Counsel and Chief of Staff John G. Callahan to serve as City Clerk in the temporary absence of City Clerk Anne M. McPherson, in accordance with Section 50 of the Charter of the City of White Plains.

Section 2. Corporation Counsel and Chief of Staff John G. Callahan shall receive no additional salary and compensation for said City Clerk office.

Section 3. This ordinance shall take effect August 1, 2016, and shall expire at the close of business, December 31, 2017.



DEPARTMENT OF BUDGET

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

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

Thomas M. Roach
Mayor

Michael A. Genito
Budget Director

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

As part of the year end close for Fiscal Year 2015-2016, adjustments are needed to the budget of the Parking Department and the Office of the Mayor. It is respectfully requested that the Mayor be authorized to direct the Budget Director to authorize the following transfers in Parking Department Budget for Fiscal Year 2015-2016 as follows:

TRANSFER FROM:

P202-3.601	Electricity	\$ 18,990
P203-3.601	Electricity	23,819
P205-3.601	Electricity	<u>23,191</u>
		<u>\$ 66,000</u>

TRANSFER TO:

P100-4.724	Credit Card Charges	<u>\$ 66,000</u>
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It is also requested that the Fiscal Year 2015-2016 budget of the Office of the Mayor be amended as follows:

INCREASE REVENUES:

A007-04485	Filing Fees & Permits	<u>\$45,000</u>
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INCREASE EXPENDITURES:

A007-4.502	Special Events	<u>\$45,000</u>
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The Commissioner of Finance is hereby authorized to encumber \$45,000 in Fiscal Year 2015-2016 for special events and to receive and disburse funds accordingly.


Michael A. Genito
Budget Director

Dated: July 14, 2016
(For the Common Council meeting August 1, 2016)

“THE BIRTHPLACE OF THE STATE OF NEW YORK”

/ 8

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR TO DIRECT THE BUDGET DIRECTOR TO MAKE CERTAIN TRANSFERS IN THE FISCAL YEAR 2015-2016 BUDGET OF THE PARKING DEPARTMENT AND TO AMEND THE FISCAL YEAR 2015-2016 BUDGET OF THE OFFICE OF THE MAYOR.

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

Section 1. As part of the year end close for Fiscal Year 2015-2016, adjustments are needed to the budgets of the Parking Department and the Office of the Mayor. As such, the Mayor is hereby authorized to direct the Budget Director to make the following transfers in the Parking Department Budget for Fiscal Year 2015-2016 as follows:

<u>TRANSFER FROM:</u>		
P202-3.601	Electricity	\$18,990
P203-3.601	Electricity	23,819
P205-3.601	Electricity	<u>23,191</u>
		<u>\$66,000</u>
<u>TRANSFER TO:</u>		
P100-4.724	Credit Card Charges	<u>\$66,000</u>

Section 2. The Mayor is further authorized to direct the Budget Director to amend the Fiscal Year 2015-2016 budget of the Office of the Mayor as follows:

<u>INCREASE REVENUES:</u>		
A007-04485	Filming Fees&Permits	<u>\$45,000</u>
<u>INCREASE EXPENDITURES:</u>		
A007-4.502	Special Events	<u>\$45,000</u>

Section 3. The Commissioner of Finance is hereby authorized to encumber \$45,000 in Fiscal Year 2015-2016 for special events and to receive and disburse funds accordingly.

Section 4. This ordinance shall take effect immediately.



DEPARTMENT OF BUDGET

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

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

Thomas M. Roach
Mayor

Michael A. Genito
Budget Director

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

As part of the year end close for Fiscal Year 2015-2016, adjustments are needed to the budget of the Youth Bureau. It is respectfully requested that the Mayor be authorized to direct the Budget Director to amend the Youth Bureau Budget to recognize contributions and expenditures for the Youth Employment Services program for Fiscal Year 2015-2016 as follows:

INCREASE REVENUES:

F012-06275	Contributions	<u>\$13,500</u>
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INCREASE EXPENDITURES:

F012-1.800	Part-time Salaries	\$13,000
F012-2.001	Social Security	455
F012-2.020	MTA Tax	<u>45</u>
		<u>\$13,500</u>

It is also requested that the Mayor be authorized to direct the Budget Director to make the following transfers in the Fiscal Year 2015-2016 Youth Bureau Budget:

TRANSFER FROM:

F015-4.023	Program Services	<u>\$ 7,235</u>
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TRANSFER TO:

F015-1.800	Part-time Salaries	\$6,154
F015-2.001	Social Security	471
F015-2.020	MTA Tax	21
F015-2.101	NYS Pension	<u>589</u>
		<u>\$7,235</u>


Michael A. Genito
Budget Director

Dated: July 11, 2016
(For the Common Council meeting August 1, 2016)

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR TO DIRECT THE BUDGET DIRECTOR TO AMEND THE YOUTH BUREAU BUDGET TO RECOGNIZE CONTRIBUTIONS AND EXPENDITURES FOR THE YOUTH EMPLOYMENT SERVICES PROGRAM FOR FISCAL YEAR 2015-2016 AND TO DIRECT THE BUDGET DIRECTOR TO MAKE CERTAIN TRANSFERS IN THE FISCAL YEAR 2015-2016 YOUTH BUREAU BUDGET.

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

Section 1. As part of the year end close for Fiscal Year 2015-2016, adjustments are needed to the budget of the Youth Bureau. As such, the Mayor is hereby authorized to direct the Budget Director to amend the Youth Bureau Budget to recognize contributions and expenditures for the Youth Employment Services program for Fiscal Year 2015-2016 as follows:

INCREASE REVENUES:

F012-06275	Contributions	<u>\$13,500</u>
------------	---------------	-----------------

INCREASE EXPENDITURES:

F012-1.800	Part-time Salaries	\$13,000
F012-2.001	Social Security	455
F012-2.020	MTA Tax	<u>45</u>
		<u>\$13,500</u>

Section 2. The Mayor is further authorized to direct the Budget Director to make the following transfers in the Fiscal Year 2015-2016 Youth Bureau Budget:

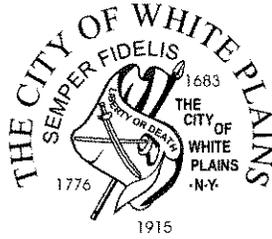
TRANSFER FROM:

F015-4.023	Program Services	<u>\$7,235</u>
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TRANSFER TO:

F015-1.800	Part-time Salaries	\$6,154
F015-2.001	Social Security	471
F015-2.020	MTA Tax	21
F015-2.101	NYS Pension	<u>589</u>
		<u>\$7,235</u>

Section 3. This ordinance shall take effect immediately.



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

ANNE FITZSIMMONS
Chief of Police
422-6258

THOMAS M. ROACH
Mayor
422-1200

JAMES M. BRADLEY
Deputy Commissioner
422-6230

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 Members:

The Department of Public Safety has been awarded a Pedestrian Safety initiative grant in the amount of \$8,000 by the New York State Governors' Traffic Safety Committee.

The Department of Public Safety will use these funds for enforcement purposes to reduce the number of accidents with injuries, specifically, those involving pedestrians that are largely contributed to driver inattention, and traffic violations, such as unsafe speed and failure to yield to pedestrians.

Accordingly, submitted for your consideration is an ordinance authorizing the Mayor to execute the documents necessary to accept the funds for the Pedestrian Safety Initiative grant under the New York State Highway Safety Program.

It is also requested that the Commissioner of Finance be authorized to receive and disburse funds accordingly.

Sincerely,


David E. Chong
Commissioner of Public Safety
DEC:bn

Dated: July 1, 2016
(For: August, 1, 2016 Common Council Meeting)

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE GRANT DOCUMENTS ON BEHALF OF THE CITY OF WHITE PLAINS IN RELATION TO THE ACCEPTANCE OF A PEDESTRIAN SAFETY INITIATIVE GRANT IN THE AMOUNT OF \$8,000 FROM THE NEW YORK STATE GOVERNORS' TRAFFIC SAFETY COMMITTEE, TO BE USED FOR LAW ENFORCEMENT PURPOSES TO REDUCE THE NUMBER OF ACCIDENTS WITH INJURIES INVOLVING PEDESTRIANS, THAT ARE LARGELY DUE TO DRIVER INATTENTION AND TRAFFIC VIOLATIONS, SUCH AS UNSAFE SPEED AND FAILURE TO YIELD TO PEDESTRIANS.

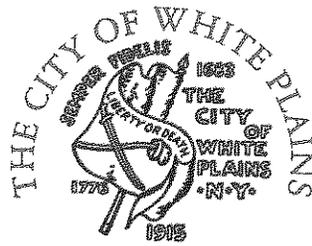
The Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Mayor of the City of White Plains or his designee is hereby authorized to accept on behalf of the City of White Plains, a Pedestrian Safety Initiative Grant in the amount of \$8,000 from the New York State Governors' Traffic Safety Committee for the federal fiscal year October 1, 2016 thorough September 30, 2017, and in connection therewith, execute any and all necessary documents, in a form acceptable to the Corporation Counsel, and accept funds under grant documents for the Pedestrian Safety Initiative Grant. The Department of Public Safety will use these funds for law enforcement purposes to reduce the number of accidents with injuries, specifically those involving pedestrians that are largely contributed to driver inattention, and traffic violations such as unsafe speed and failure to yield to pedestrians.

Section 2. The Mayor is further authorized to direct the Commissioner of Finance to receive and disburse funds accordingly.

Section 3. This ordinance shall take effect immediately.

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 MEMBERS OF THE COMMON COUNCIL
OF THE CITY OF WHITE PLAINS

**Re: TICKET PROCESSING CONTRACT
WITH COMPLUS DATA INNOVATIONS, INC.**

For the past seventeen and one half years, Complus Data Innovations, Inc. (Complus) has provided parking violation processing and collection services to the City. With the termination of its most recent contract with the City, the Department of Parking has been researching options for a new parking violation issuance, processing, and collection services contract. Parking ticket issuance and processing has changed dramatically over the past seventeen years, as has the City's needs.

In early 2016, the Department of Parking developed a detailed 46 page specification and request for proposals document (RFP). In May of 2016, a request for proposals was publicly advertised. Five firms requested the detailed request for proposals document. Three of those firms ultimately submitted proposals that were evaluated by staff. Complus met the requirements of the RFP at the most beneficial fees to the City and to patrons paying parking violations on the web or by phone.

The proposal from Complus provides for a comprehensive array of software, equipment, supplies, wireless data plans, DMV lookup services (including fees), on-site service, training, and data entry services. The proposed fee for these services is \$1.55 per summons or overtime notice issued which equates, on an annual basis, to approximately \$405,000 depending upon the actual number of tickets issued and processed. This fee proposal represents a significant cost savings when compared to our current fee structure. In fiscal year 2014/15, similar services cost approximately \$514,000. With the continued decline in issuance, the most recent fiscal year, 2015/16, had similar services costing approximately \$484,000. The funding for these services is provided for in the operational budget of the Department of Parking.

The proposal from Complus also provides for the continued operation of a web and phone based parking violations automated payment system. The proposed convenience fee to be charged the violator would remain at the current \$3.00 per violation.

24

Submitted for your consideration is an ordinance authorizing the Mayor to enter into a three year agreement in a form approved by the Corporation Counsel with Complus Data Innovations, Inc. for the provision of parking violation issuance, processing, and collection services commencing September 1, 2016.

Dated: July 19, 2016

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Larson". The signature is fluid and cursive, with a large initial "J" and "L".

John P. Larson, Commissioner
CWP - Department of Parking

ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A THREE YEAR CONTRACT WITH COMPLUS DATA INNOVATIONS, INC. ("CDI") TO PROVIDE FULL SERVICE PARKING TICKET PROCESSING SERVICES.

WHEREAS, for the past twenty-two years, the Department of Parking and the former White Plains Parking Authority have outsourced the function of parking ticket processing and management; and

WHEREAS, this professional service is critical to the operation of the Parking Enforcement Program and Parking Violations Office; and

WHEREAS, Complus Data Innovations, Inc. ("CDI") has provided parking ticket management services for the City since 1999; and

WHEREAS, during this period, this vendor has provided improved services for the City, including a customized parking ticket management system, new hand-held ticket writing technology, new computer equipment and replacements, maintenance for all equipment supplied to the City and consistently maintained a high collection rate; and

WHEREAS, on April 6, 2009, and as amended on May 4, 2009, the Common Council authorized the current contract with CDI for a term of five years which expired on December 31, 2014; and

WHEREAS, on September 2, 2014, the Common Council authorized a one year extension of the contract with CDI from January 1, 2015 through December 31, 2015; and

WHEREAS, over the years, the City's operation has become very integrated with CDI software programs and systems and this has enabled the City to maximize the efficiency of the Parking Department and continue to maintain a high parking ticket collection rate; and

WHEREAS, the cost per ticket in the calendar year 2016 for the services provided was authorized in 2014 at a rate of \$2.35 per parking ticket; and

WHEREAS, the Department of Parking has been in the process of negotiating a new contract to provide for this continued high level of services; and

WHEREAS, CDI is proposing to extend the contract for three years, expiring on August 31, 2019, at a rate of \$1.55 per parking ticket; and

WHEREAS, the Department of Parking has concluded that it is in the best interests of the City to continue the established relationship with CDI and has recommended that the City enter into a new contract with CDI for a term of three (3) years to provide full ticket processing and management services.

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

Section 1. The Mayor or his designee is hereby authorized to enter into a contract with Complus Data Innovations, Inc. (CDI) to provide parking ticket management services for a term of three (3) years, commencing September 1, 2016 and expiring August 31, 2019, at a rate of \$1.55 per parking ticket.

Section 2. The contract shall be in a form acceptable to the Corporation Counsel.

Section 3. This ordinance shall take effect immediately.



TRANSPORTATION COMMISSION
255 MAIN STREET - ANNEX BUILDING • WHITE PLAINS, NEW YORK 10601
(914) 422-1232 • FAX: (914) 422-1274

THOMAS M. ROACH
MAYOR

THOMAS J. SOYK, P.E., PTOE
DEPUTY COMMISSIONER

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

Submitted herewith are ordinances amending the Traffic Ordinance of the City of White Plains as follows:

- 1.) Modify a "No Parking Any Time" zone on the west side of North Kensico Avenue as described in Section 202 Subdivision 136.
- 2.) Modify a "Two Hour Parking" zone on the west side of North Kensico Avenue as described in Section 203-a, Subdivision 16.
- 3.) Create a "One Way Street" for the driveway to Police Headquarters from South Lexington Avenue to the City Of White Plains Property line as described in Section 301, Subdivision 25.
- 4.) Create a "No Parking Any Time" zone on the west side of Winchester Street as described in Section 202 Subdivision 215.

These amendments are in accordance with the recommendations of the Transportation Commission and are to become effective upon adoption by the Common Council.

Thomas J. Soyk, PE, PTOE

Acting Chairman

Dated: July 20, 2016 (for the August 1, 2016 Common Council Meeting)

AN ORDINANCE AMENDING THE TRAFFIC ORDINANCE OF THE CITY OF WHITE PLAINS IN RELATION TO MODIFYING A “NO PARKING ANY TIME” ZONE ON THE WEST SIDE OF NORTH KENSICO AVENUE; MODIFYING A “TWO HOUR PARKING” ZONE ON THE WEST SIDE OF NORTH KENSICO; CREATING A “NO PARKING ANY TIME” ZONE ON THE WEST SIDE OF WINCHESTER STREET; AND CREATING A “ONE WAY STREET” FOR THE PUBLIC SAFETY HEADQUARTERS.

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

No Parking Any Time

Section 1. Section 1. Subdivision 136, Article II, Section 202 of an ordinance adopted by the Common Council of the City of White Plains on the third day of September 1946, entitled “An ordinance regulating traffic in the City of White Plains and providing penalties for the violations of its provisions,” as last amended on the 1st day July 2013, is hereby amended to read as follows:

136. North Kensico Avenue, on the easterly side, between Hall Avenue and Grant Avenue. (Added 5/6/63; Renumbered 5/1/67; 3/7/88) and on the West side from Ross Street to a point approximately 50 feet south.

Section 2. Article II, Section 202 of said ordinance last amended on the 1st day of July 2013, is hereby amended by adding a new subdivision 215 to read as follows:

215. Winchester Street, on the West side, for approximately 45 feet beginning at a point approximately 140 feet north of East Post Road and on the east side, for approximately 50 feet beginning at a point approximately 135 feet north of East Post Road.

Two Hour Parking

Section 3. Subdivision 16, Article II, Section 203-a of said ordinance last amended on the 2nd day of November 2015, is hereby amended to read as follows:

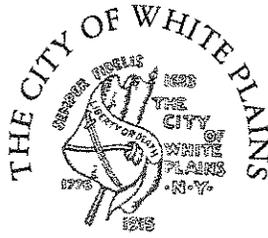
16. North Kensico Avenue, on the east sides between Terrace Avenue and Ross Street, on the west side starting at a point approximately 50 feet south of Ross Street to Terrace Avenue.

One Way Streets

Section 4. Article II, Section 301 of said ordinance, as last amended on the 1st day of October 2013, is hereby amended by adding a new sub-section 25 to read as follows:

25. Driveway to Police Headquarters, between South Lexington Avenue to the property line in an easterly direction.

Section 5. 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

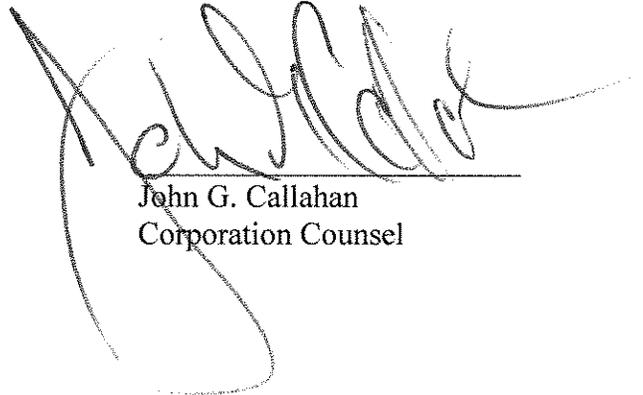
CAROL L. VAN SCOYOC
Chief Deputy Corporation Counsel

DANIEL K. SPENCER
Deputy Corporation Counsel

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

The Law Department has received the application submitted by Alejandro Tepetitla (“Applicant”) for a special permit to operate an accessory cabaret at Alex Lounge Bar & Grill Inc. located at 213 East Post Road.

Special permits require a public hearing to be held prior to taking action. Accordingly, a resolution scheduling a public hearing on this application for September 6, 2016 is submitted herewith for your consideration.



John G. Callahan
Corporation Counsel

Dated: July 26, 2016
(For the Common Council Meeting
of August 1, 2016)

28

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS
SCHEDULING A PUBLIC HEARING FOR SEPTEMBER 6, 2016 IN RELATION TO
THE APPLICATION SUBMITTED BY ALEJANDRO TEPETITLA FOR A SPECIAL
PERMIT TO OPERATE AN ACCESSORY CABARET AT ALEX LOUNGE BAR &
GRILL INC., LOCATED AT 213 EAST POST ROAD.

RESOLVED, that a public hearing in relation to the application submitted by Alejandro Tepetitla ("Applicant") for a Special Permit to operate an accessory cabaret at Alex Lounge Bar & Grill Inc., located at 213 East Post Road, will be held before the Common Council on September 6, 2016, at 7:30 p.m., in the Common Council Chamber, Municipal Building, 255 Main Street, White Plains, New York; and be it further

RESOLVED, that the Applicant is directed to give notice of said public hearing pursuant to and in accordance with Sections 6.4.2, 12.2.2 and 12.7 of the Zoning Ordinance of the City of White Plains ("Zoning Ordinance"); and be it further

RESOLVED, that the City Clerk is hereby directed to forward a certified copy of this resolution to the Applicant; and

RESOLVED, that the City Clerk is further directed to refer the instant application to the appropriate City departments, boards, commissions, agencies and officers and the Westchester County Planning Board for review, comments and recommendations in accordance with the Zoning Ordinance.

29

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

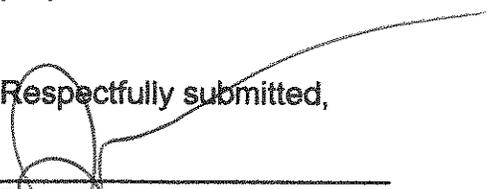
TO THE HONORABLE THOMAS M. ROACH, MAYOR
AND MEMBERS OF THE COMMON COUNCIL OF THE
CITY OF WHITE PLAINS

Submitted, herewith, for your review and appropriate action is a resolution authorizing the Mayor to enter into an agreement with the New York State Historic Preservation Office ("SHPO").

After adoption of Local Law No. 1 for 2015 entitled "Historic Preservation," an application for admission into SHPO's Certified Local Government program was completed. In response to the comments received on the application, amendments to the Historic Preservation law were made and approved in May 2016. The final requirement to be admitted into the Certified Local Government program is execution of an agreement between the Mayor and SHPO. The agreement outlines the responsibilities of both the City, as a certified local government, and SHPO.

Once admitted into this program the White Plains Historic Preservation Commission will be eligible to receive technical assistance and training from SHPO's staff. In addition, SHPO will advise the City of the availability of grant money. In return, the City is committed to maintaining a qualified historic preservation commission, provide public participation in the historic preservation process and to maintain a survey of historic properties.

Respectfully submitted,


Damon A. Amadio P.E.
Commissioner of Building

DATED: July 26, 2016
(For the August 1, 2016 Common Council Meeting)

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE HISTORIC PRESERVATION OFFICE.

WHEREAS, on May 4, 2015 the Common Council adopted a local law entitled "A LOCAL LAW AMENDING TITLE IX OF THE WHITE PLAINS MUNICIPAL CODE BY ADDING SECTION 9-6 TO THE WHITE PLAINS MUNICIPAL CODE TO BE TITLED "HISTORIC PRESERVATION;" and

WHEREAS, the New York State Historic Preservation Office ("SHPO") has a Certified Local Government program for municipalities that adopt historic preservation legislation; and

WHEREAS, municipalities admitted into the Certified Local Government program are eligible to receive grants and services including training for the Historic Preservation Commission and technical preservation assistance; and

WHEREAS, an application was submitted on behalf of the City of White Plains for participation in the Certified Local Government program; and

WHEREAS, ratification as a certified local government requires the execution of a mutual agreement between the chief elected official of the local government and SHPO as well as approval of that agreement by the National Park Service; and

WHEREAS, the agreement outlines the responsibilities of the municipality as a certified local government and the responsibilities of SHPO.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor is hereby authorized to enter into the attached Certified Local Government Agreement between the New York State Historic Preservation Officer and the City of White Plains; and be it further

RESOLVED, that the Mayor, or his designee, be authorized to execute all necessary documents in connection with this matter in a form acceptable to the Corporation Counsel; and be it further

RESOLVED, that this resolution shall take effect immediately.

CERTIFIED LOCAL GOVERNMENT AGREEMENT

BETWEEN

THE NEW YORK STATE HISTORIC PRESERVATION OFFICER

AND

THE CITY OF WHITE PLAINS

Whereas, the State Historic Preservation Officer, hereinafter referred to as the SHPO, has been authorized by the Secretary of the Interior to certify local governments for participation in the national historic preservation program, according to the "Procedures for the Certification of Local Governments," said procedures being hereby attached to and made a part of this agreement; and

Whereas, the City of White Plains, hereinafter referred to as the City has applied for certification under such Procedures, and has demonstrated that it meets the eligibility requirements set forth in Section 3 of the Procedures;

Now, therefore, in consideration of the premises and mutual covenants and conditions contained herein, the parties hereto agree as follows:

The City agrees to fulfill the following responsibilities in accordance with Section 5 of the Procedures:

1. To enforce the local historic preservation legislation for the designation and protection of historic properties.
2. To maintain a qualified historic preservation review commission.
3. To maintain a system for the survey and inventory of historic properties that is coordinated with and complementary to the survey activities of the SHPO.
4. To provide for adequate public participation in the local historic preservation program.
5. To actively participate in the process of nominating properties to the State and National Registers of Historic Places.
6. To submit an annual report to the SHPO by November 15 of each year, describing the City's historic preservation activities during the preceding year ending September 30.

7. When awarded subgrant monies,
 - A. To perform all services to the standards and schedule specified in the subgrant agreement, and
 - B. To maintain fiscal management and audit standards specified in *OMB Circular A102*.
8. To cooperate fully with the SHPO in his monitoring and evaluation of the activities required by this agreement, which evaluation shall be conducted according to the process set forth in Section 6 of the Procedures.

The SHPO agrees to fulfil the following responsibilities:

1. To provide the City with copies of all standards, guidelines, and procedures referred to in this agreement.
2. To consult with the City concerning any proposed changes to the CLG program or procedures.
3. Before a property within the City's jurisdiction is submitted to the State Board for Historic Preservation for its review and recommendation to the SHPO for nomination to the National Register of Historic Places, to notify the City's chief elected official and historic preservation commission, to provide them an opportunity to comment on the proposal, and to consider their comments.
4. To provide training to the commission and staff pertaining to the roles and operations of federal, state, and local historic preservation programs. The SHPO will consult with the City to determine specific training needs.
5. Annually, to consult with the City regarding areas of concern and issues of priority which should be incorporated into the state's comprehensive preservation plan.
6. Annually, to advise the City concerning the availability of subgrant monies; and to provide an application form for CLG grants, a list of the selection criteria and funding priorities, and the procedure and a timetable for the selection process.

By executing this agreement, the SHPO, acting on behalf of the Secretary of the Interior confers upon the City of White Plains, New York the status of Certified Local Government.

[ceo]

New York State Historic Preservation Officer

Date

Date

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 COMMON COUNCIL OF THE CITY OF WHITE PLAINS

The Department of Recreation and Parks is recommending that the City execute a license agreement with Bentsidoun USA, Inc. to be operator of the Winterfest event to be located at Court Street between Main Street and Martine Avenue. The period of the license agreement would be from Friday, December 9, 2016 through Sunday, December 18, 2016.

The Winterfest event offers a holiday experience featuring artisan vendors who will present traditional food, as well as arts and crafts, with programmed entertainment.

Attached for your consideration is legislation authorizing the Mayor, or his designee, on behalf of the City to execute a license agreement with Bentsidoun USA, Inc. to operate the Winterfest event.

Respectfully submitted,

Wayne D. Bass
Commissioner, Recreation & Parks

Date: July 27, 2016

"THE BIRTHPLACE OF THE STATE OF NEW YORK"

<http://www.cityofwhiteplains.com>

32

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A LICENSE AGREEMENT BETWEEN THE CITY OF WHITE PLAINS AND BENSIDOUN USA, INC. FOR THE PURPOSES OF OPERATING A WINTERFEST EVENT ON REAL PROPERTY OWNED BY THE CITY.

WHEREAS, Bensidoun USA, Inc. is an Illinois corporation with offices at 405 N. Wabash Street, Chicago, Illinois 60611; and

WHEREAS, Bensidoun USA, Inc. desires to operate and manage a Winterfest event in the City of White Plains on City-owned property identified as a portion of the public right-of-way on Court Street between Main Street and Martine Avenue; and

WHEREAS, the Winterfest event offers a holiday experience featuring a mix of artisan vendors who will present traditional foods, as well as arts and crafts, with programmed entertainment; and

WHEREAS, the term for the license agreement shall commence December 9, 2016 and terminate on December 18, 2016; and

WHEREAS, the City of White Plains desires to have a Winterfest event in the City for the benefit of its residents, daily work force and numerous visitors; and

WHEREAS, Bensidoun USA, Inc. now desires to enter into a license agreement to operate and manage the Winterfest event to be located on the aforementioned City-owned property for the benefit and enjoyment of all members of the White Plains community and members of the surrounding neighborhoods.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor or his designee is hereby authorized to enter into a license agreement with Bensidoun USA, Inc. for the period December 9, 2016 through December 18, 2016, to manage and operate a Winterfest event at the aforementioned City-owned property; and be it further

RESOLVED, that all terms and conditions of the aforementioned license agreement are subject to approval by the Corporation Counsel; and be it further

RESOLVED, that the Mayor or his designee be authorized to execute all necessary documents in connection with this matter; and be it further

RESOLVED, that this resolution shall take effect immediately.

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 7 of the White Plains Zoning Ordinance, is a request by Westchester Healthcare Properties I, LLC, for an extension of the site plan approval for their project at 120 Church Street.

A letter petition, dated July 19, 2016, prepared by DelBello, Donnellan, Weingarten, Wise and Wiederkehr LLP on behalf of Westchester Healthcare Properties I, LLC has been submitted for a one (1) year extension to a Common Council Resolution originally approved on February 11th 2011 relating to a Special Permit / Site Plan approval to construct a Skilled Nursing facility at the intersection of Church Street and Barker Avenue.

It should be noted that the requisite site plan extension fee was paid by the applicant in conjunction with this request.

Referrals may be made at this time to appropriate City departments and boards.

Damon A. Amadio P.E.
Commissioner of Building

Dated: July 21, 2016
(for August 1 2016, Common Council Meeting)

Documents
Submitted: Cover letter as prepared by DelBello Donnellan Weingarten Wise & Wiederkehr, LLP dated July 19, 2016

**DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP**

Janet J. Giris
Partner
JIG@ddw-law.com

COUNSELLORS AT LAW
THE GATEWAY BUILDING
ONE NORTH LEXINGTON AVENUE
WHITE PLAINS, NEW YORK 10601
(914) 681-0200
FACSIMILE (914) 684-0288

Connecticut Office
1111 SUMMER STREET
STAMFORD, CT 06905
(203) 298-0000

RECEIVED

JUL 20 2016

CITY OF WHITE PLAINS
DEPT OF BUILDING

RECEIVED

JUL 20 2016

July 19, 2016

CITY OF WHITE PLAINS
DEPT OF BUILDING

By Hand Delivery

Honorable Thomas M. Roach, Mayor
and Members of the Common Council
City of White Plains
255 Main Street
White Plains, New York 10601

Re: Application of White Plains Healthcare Properties I, LLC for Special Permit/Site Plan Approval of a proposed Skilled Nursing Facility to be developed at 120 Church Street, White Plains (Corner of Church and Barker).

Dear Mayor Roach and Members of the Common Council:

This firm represents White Plains Healthcare Properties I, LLC, (the "Applicant") in connection with its property located at 116-120 Church Street, which property is also known and designated on the tax assessment map of the City as Section 125.67, Block 3, Lot 1 (the "Property"). As you may remember, in August 2013, the Common Council granted amended site plan and special permit approvals (collectively, the "Amended Approval") to permit the construction of a skilled nursing and rehabilitation facility on the Property to be known as the "White Plains Institute of Rehabilitation and Healthcare" (the "Project").¹ The Amended

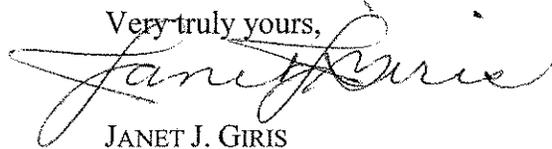
¹ In February, 2011, the Common Council granted special permit and site plan approvals for the project which were extended and subsequently amended in August 2013 to reduce the size and scope of the previously approved facility by "Resolution of the Common Council of the City of White Plains extending for (A) an additional one (1) year the Special Permit/Site Plan Approval granted on February 7, 2011 and extended for one (1) year by resolution adopted on April 2, 2012, to Westchester Healthcare Properties I, LLC ("Applicant") for a skilled nursing and rehabilitation facility to be known as the White Plains Institute of Rehabilitation and Healthcare to be located at 116-120 Church Street consisting of six (6) story, approximately 96,989 square foot building that will house 180 beds and include administrative and staff offices, common dining and recreation facilities, a second level outdoor landscaped plaza and two (2) level parking garage; and (B) the instant amendment to modify the approved and extended Special Permit/Site Plan, including (1) reducing the number of beds from 180 to 160; (2) reducing the height of the building from 6-5 stories; (3) reducing the height from 78 feet to 65 feet; (4) reducing the parking levels from 2 to 1; (5) increasing the number of on-site parking spaces from 29 to 49 spaces and requesting a Fee-In-Lieu payment for the balance of the required 4 spaces; (6) increasing the basement space; (7) reducing the gross floor area from 96,989 square feet to 88,605 square feet; (8) eliminating the curb cut on Barker Avenue; (9) adding a rehabilitation gym

Approval was most recently extended by the Common Council in October, 2015, through and including August 4, 2016. Since the time that the last extension was granted in October, 2015, the Applicant has been finalizing its construction drawings and its approvals from the New York State Department of Health for the Project.

We are pleased to advise the Council that the Applicant anticipates commencing construction of the Project in late August or early September, 2016. However, "substantial construction" will not be completed within one year of site plan approval as required by Section 7.6 of the Zoning Ordinance of the City. Accordingly, on behalf of the Applicant, we respectfully request that this matter be placed on the Council's next available agenda for consideration of an extension of the Amended Approval for a period of one (1) year, through and including August 4, 2017. By copy of this letter, we have submitted to the Department of Building a check in the amount of \$2,508.15 made payable to the City of White Plains representing the application fee.

Thank you for your consideration. Please feel free to contact me if you have any questions or if you need any additional information.

Very truly yours,



JANET J. GIRIS

cc: John Callahan, Esq., Corporation Counsel and Chief of Staff
Damon Amadio, Commissioner of Building (with application fee)
William Nicholson, Congress
Steven King, Congress
Mark Weingarten, Esq.

over the garage at the second level roof garden and including a new additional roof garden on the third level; (10) reconfiguring the massing at the rear end corner of the building to accommodate the new garage entry ramp; (11) relocating the "back of house" support space from the basement level to the ground floor level; (12) relocating the loading access from ground level garage to the rear alley of the building; and (13) several architectural modifications."

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

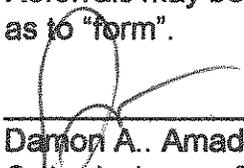
TO THE HONORABLE THOMAS M. ROACH, MAYOR
AND MEMBERS OF THE COMMON COUNCIL OF THE
CITY OF WHITE PLAINS

Dear Mayor and Council Members:

Submitted, herewith, for your review and appropriate action, pursuant to Section 12 of the White Plains Zoning Ordinance, is a petition dated July 25, 2016 in support of a request for an amendment to the City of White Plains Zoning Ordinance. This petition is submitted by Veneziano and Associates on behalf of the applicant, WP Development NB, LLC.

The petition seeks the rezoning of the property at 52 North Broadway (formerly the campus of the Academy of Our lady of Good Counsel) to allow a mixed-use development including multi-family residential, graduate student housing and assisted living facilities.

Referrals may be made at this time to appropriate city departments and boards for review as to "form".


Damon A. Amadio P.E.
Commissioner of Building

Dated: July 27, 2016
(for August 1, 2016, Common Council Meeting)

Documents

Submitted: Cover letter prepared by Mr. Anthony Veneziano Jr dated July 25, 2016 and a Zoning Petition dated July 25, 2016

VENEZIANO & ASSOCIATES

COUNSELLORS-AT-LAW

84 BUSINESS PARK DRIVE
SUITE 200
ARMONK, NEW YORK 10504

TEL: (914) 273-1300

FAX: (914) 273-1303

July 25, 2016

Hon. Thomas M. Roach, Mayor, and
Members of the Common Council
City of White Plains
City Hall
255 Main Street
White Plains, NY 10601

**Re: 52 North Broadway (former Good Counsel Campus)
Zoning Petition**

Dear Mayor Roach and Members of the Common Council:

On behalf of WP Development NB, LLC, owner of the 16.1 acre property located at 52 North Broadway, and in cooperation with co-counsel, William S. Null of Cuddy & Feder LLP, we respectfully submit a Zoning Petition with respect to the redevelopment of this previously tax-exempt parcel which was the former site of the Good Counsel campus.¹

The Petition seeks the rezoning of the property to permit its redevelopment with a mix of residential uses, including 400 multi-family rental housing units, graduate or professional school housing, and an assisted living/memory care facility.

The property is located at 52 North Broadway in the RM-1.5 zoning district. For more than 100 years, the property has been exempt from real estate taxes, having been owned and operated by The Sisters of the Divine Compassion, an educational and religious use. Since the property has been sold to our client, it is on the tax rolls and generating significant tax revenue. When developed as proposed, this residential community will provide substantial additional tax revenues to the City and school district. As set forth in detail in the Zoning Petition, the proposed development is consistent with the density permitted by the current RM-1.5 District

¹ The project team includes AKRF, Inc., Perkins Eastman Architects, P.C., JMC Engineering, Maser Engineering, Veneziano & Associates; Cuddy & Feder LLP.

Thomas Roach, Mayor
White Plains Common Council

July 25, 2016
Page 2

and is also consistent with the height of the multi-family residential buildings immediately to the south of the property. The project also supports the Comprehensive Plan which is focused on maintaining the site's open nature and, particularly, the large open space corridor along North Broadway. Toward that end, the proposal preserves the North Broadway frontage by providing a 2.69 acre buffer, while preserving approximately 56%, or 9 acres, of the overall site as open space.

As demonstrated in the Petition and shown on the plans attached thereto as exhibits, the multi-family residential buildings are proposed to be located to the rear of the site, closest to I-287. In addition to minimizing visual impacts from North Broadway, that portion of the site is significantly lower in elevation than the front of the site, thereby further mitigating visual impacts. The graduate or professional school housing is to be located at the northern end of the subject property, immediately adjacent to the campus of the Elizabeth Haub School of Law at Pace University ("Pace Law School"). Pace Law School fully supports the entire project including the graduate or professional school housing.² The students attending the law school, who drive there every day currently utilize parking on the campus. The consolidation of the housing immediately adjacent to the campus will enable the same parking spaces to be utilized by those students residing on campus. Among other benefits to the housing serving the law school is it will help to mitigate the daily vehicular traffic generated by students arriving and leaving the campus. The Pace campus acts as a buffer to the residential area further north on Crane Avenue.

The assisted living/memory care facility is proposed to be located in the central part of the property. There will be 80 beds for assisted living and 45 beds for memory care. The facility will be owned and operated by Sunrise, a nationally-renowned provider of such facilities. This use fills a needed and under-served market, especially the memory care component.

The property is listed on the National Register of Historic Places. We have been coordinating with the State Historic Preservation Office (SHPO) and your Historic Preservation Commission (HPC) with respect to this aspect of the development. Accordingly, we will be preserving the Chapel and the Mapleton Building, which are the key buildings of significance. The latter building is proposed for relocation northerly on the site. The current condition of the remaining buildings, and the difficulty and expense of bringing them into compliance with current life-safety standards, is such that they cannot effectively be re-purposed and we propose to demolish them.

² See, letter attached to the Zoning Petition.

VENEZIANO & ASSOCIATES

Thomas Roach, Mayor
White Plains Common Council

July 25, 2016
Page 3

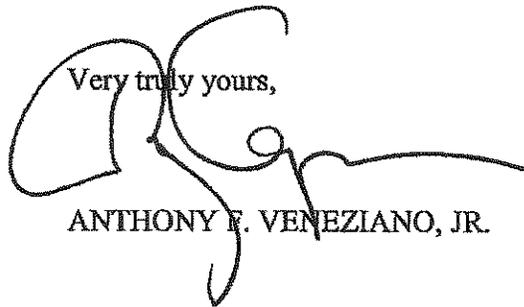
The three proposed residential uses are complimentary to one another. The multi-family rental units will provide additional housing opportunities for Pace students and faculty, as well as employees of the assisted living facility, while also providing needed rental housing units in White Plains. The graduate or professional school housing will assist Pace Law School in marketing its program by providing essentially on-site housing for the students. The assisted living facility will provide a continuum of care for Westchester's aging population for which there is an existing need, particularly for memory care units near family members.

In addition to the direct economic benefits by way of increased real estate tax revenues, there will be an economic multiplier effect resulting from the influx of additional residents to the City and the money they will spend in purchasing goods and services in the City. New residents of the residential building will also support the office market in White Plains.

Attached to the Zoning Petition are a number of exhibits, including a proposed site plan, visual perspectives from properties surrounding the site, the proposed text of a Zoning Ordinance Amendment to accommodate the proposal, and a Full Environmental Assessment Form.

We look forward to working with you and the City's Boards, Commissions, and Commissioners on this exciting project. Please place this matter on the Common Council agenda for August 1, 2016 for commencement of the review process. Thank you for your courtesy and cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Anthony F. Veneziano, Jr.', with a long horizontal flourish extending to the right.

ANTHONY F. VENEZIANO, JR.

AFV/kj
Encls.

cc: Peter S. Duncan
Roderick O'Connor
Sunrise Assisted Living
William S. Null, Esq.

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 7.7.2 of the White Plains Zoning Ordinance, is an application for a site plan amendment associated with One North Broadway. This application was filed on July 21, 2016 by Cuddy and Feder LLP on behalf of WPP Owner LLC, the owner of One North Broadway.

The property is located on the west side of North Broadway between Hamilton Avenue and Main Street and is commonly referred to as "White Plains Plaza."

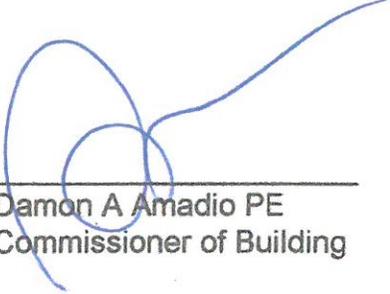
The owner would like to renovate the outdoor plaza area and make certain improvements to the building facade. The proposed project scope will include, but is not limited to, new pavers, raised planters, seating areas, exterior lighting and a raised platform/stage area.

The property is situated within a CB-3 (Core-Business - 3) zoning district. The Property is also a designated Former Special Zone ("S Zone") and as such is subject to the provisions of the special legislation adopted by the City in connection with the original development approvals for the Property, including the requirement that all subsequent changes to the Property be approved by the Common Council.

The Common Council is the approving agency for the following:

- 1.) Amended Site Plan (former Special Zone - "S Zone" - Section 7.7.2)

Referrals may be made at this time to appropriate City departments and boards for their review and comment.



Damon A Amadio PE
Commissioner of Building

Date: July 28, 2016
(for the August 1, 2016 Common Council meeting)

Submission: Cover letter prepared by Mr. William Null dated July 20, 2016; a Short Form Building Application dated June 29, 2016; a Short Environmental Assessment Form dated June 30, 2016; drawings A0 thru A8, S1, S2 and S3 as prepared by Cardarelli Design and Architecture dated June 30, 2016 and drawings CD-1 thru CD-9 as prepared by JMC Engineering dated June 24, 2016.



445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

William S. Null, Esq.
wnull@cuddyfeder.com

07/20/2016

BY HAND

Hon. Thomas M. Roach, Mayor, and
Members of the Common Council
City of White Plains
255 Main Street
White Plains, New York 10601

Re: White Plains Plaza – Site Plan Amendment for One North Broadway

Dear Mayor Roach and Members of the Common Council:

On behalf of WPP Owner LLC, the owner of White Plains Plaza (the “Premises”), which include the buildings known as One North Broadway and 445 Hamilton Avenue, we respectfully submit this Application to renovate the plaza area facing Main Street.

White Plains Plaza was constructed in the 1970’s together with an adjacent parking structure situated above the retail building at 275 Main Street. The improvements on the Premises were completed prior to the adoption of the current Zoning Ordinance. In 1981, when the Zoning Ordinance was amended White Plains Plaza was classified as a “Special ‘S’ Zone” within the BR-4 (Business Residential) District. In 2002, the Zoning Ordinance was further amended classifying the Premises in the CB-3 (Central Business) District.

While modifications to the Premises have been made over the years, the current ownership is seeking to update and renovate the buildings and exterior amenities to enhance their appearance. New pavers will be installed throughout the area, as well as new stairs from Main Street, new raised planters, seating areas, lighting and a raised platform/stage area. In addition, a living Green Wall will be installed along the westerly wall adjoining the 275 Main Street building.

This Application requests Site Plan Approval in accordance with Section 3.6.2 of the Zoning Ordinance, which states that changes to design documents for “S Zones” shall be treated as amendments to “site plans.” In support of this Application, we respectfully enclose ten (10) full size and fifteen (15) half-sized sets of:

1. Plans entitled, “One North Broadway Plaza Renovation, Tax Map Section 125.68, Block 5, Lot 5, Westchester County, One North Broadway, City of White Plains, NY 10601,”



07/20/2016
Page -2-

prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, LLC, consisting of the following sheets, dated June 24, 2016:

- a. CD-1 Cover Sheet
 - b. CD-2 Existing Conditions Plan
 - c. CD-3 Site Demolition Plan
 - d. CD-4 Site Layout Plan
 - e. CD-5 Site Grading & Utilities Plan
 - f. CD-6 Site Erosion and Sediment Control Plan
 - g. CD-7 Site Landscaping Plan
 - h. CD-8 Construction Details
 - i. CD-9 Construction Details
2. Plans entitled, "Proposed Exterior Modifications, One North Broadway, White Plains, NY 10601, Section: 125.68, Block: 5, Lot: 5," prepared by Cardarelli Design & Architecture, P.C., last revised June 30, 2016:
- a. A0 Cover Sheet
 - b. A1 Overall Plan
 - c. A2 Construction Plans
 - d. A3 Canopy Glazing Plan
 - e. A4 Composite Plan
 - f. A5 Exterior Elevations
 - g. A6 Wall Sections
 - h. A7 Sections & Details
 - i. A8 Interior Elevations
 - j. S1 General Notes and Material Specifications
 - k. S2 Plaza Canopy Plan
 - l. S3 Sections

In addition, we respectfully enclose thirty-five (35) sets of the following documents:

3. A Building Permit Application
4. A Short Environmental Assessment Form in accordance with Article 8 of the New York State Environmental Conservation Law and the rules and regulations promulgated thereunder at 6 N.Y.C.R.R. Part 617 (collectively "SEQRA").

We respectfully request that the Application be forwarded to all relevant Departments, Boards



07/20/2016
Page -3-

and Commissions for their review and comment. We look forward to appearing before this Council to address any questions. Thank you for your consideration in this matter.

Respectfully yours,

A handwritten signature in black ink, appearing to read "William S. Null". The signature is written in a cursive style with a large, prominent "S" and "N".

William S. Null

WSN:yp

Enclosures

cc: John G. Callahan, Esq., Chief-of-Staff and Corporation Counsel; Mr. Damon Amadio, Commissioner of Building; Mr. Christopher Gomez, Commissioner of Planning; Mr. Eric Levy; Mr. Stefano Cardarelli; and Mr. Anthony Nester

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 White Plains Municipal Code, Chapter 9-6 Historic Preservation, Section 9-6-3(C), is the report from the Historic Preservation Commission of the City of White Plains recommending that the structure at 60 Park Avenue (Section 125.58, Block 5, Lot 17) aka "The Jacob Purdy House" be designated a local landmark.

The Commission's report sets forth the reasons for the recommendation that the structure at 60 Park Avenue be designated a local landmark. In accordance with Municipal Code Section 9-6-3(c)(3), the recommendation will be considered approved 45 days after this referral, unless, by resolution, the Council disapproves the proposed action.

Respectfully submitted,

Damon A. Amadio P.E.
Commissioner of Building

DATED: July 25, 2016
(For the August 1, 2016 Common Council Meeting)

RELATED DOCUMENTS: Historic Preservation Resolution dated March 23, 2016



HISTORIC PRESERVATION COMMISSION
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
(914) 422-1227 • (914) 422-1330 Fax

Thomas M. Roach
Mayor

Robert Hoch
Chairman

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

In accordance with the White Plains Municipal Code Chapter 9-6, Historic Preservation, the Historic Preservation Commission initiated the proposed recommendation of 60 Park Avenue (the "Jacob Purdy House"), listed on the Official Tax Map of the City of White Plains as Section 125.58, Block 5, Lot 17, as an individual landmark. Pursuant to that recommendation, public hearings were held. After reviewing all the testamentary and documentary evidence the Historic Preservation Commission voted, on May 11, 2016, in favor of recommending the designation of 60 Park Avenue as a landmark pursuant to the White Plains Municipal Code Section 9-6-3(b)(1) subsections a, c, f and h.

Transmitted herewith is the Historic Preservation Commission's resolution with application for designation, which shall serve as the Commission's report, recommending that the Jacob Purdy House be designated a landmark. The entire record is available at the Clerk's office for examination. Please be aware that the Commission's recommendation shall be deemed approved unless, by resolution, the Council disapproves the proposed action within 45 days after it first appears on the Council's agenda.

Respectfully submitted,

Robert Hoch
Chairperson

DATED: July 13, 2016
(For the August 1, 2016 Common Council Meeting)

enc.



HISTORIC PRESERVATION COMMISSION
MUNICIPAL BUILDING • 255 MAIN STREET • WHITE PLAINS, NY 10601
(914) 422-1227 • (914) 422-1330 Fax

Thomas M. Roach
Mayor

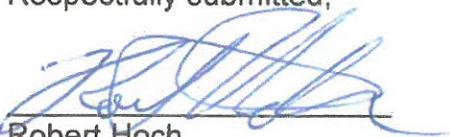
Robert Hoch
Chairman

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

In accordance with the White Plains Municipal Code Chapter 9-6, Historic Preservation, the Historic Preservation Commission initiated the proposed recommendation of 60 Park Avenue (the "Jacob Purdy House"), listed on the Official Tax Map of the City of White Plains as Section 125.58, Block 5, Lot 17, as an individual landmark. Pursuant to that recommendation, public hearings were held. After reviewing all the testamentary and documentary evidence the Historic Preservation Commission voted, on May 11, 2016, in favor of recommending the designation of 60 Park Avenue as a landmark pursuant to the White Plains Municipal Code Section 9-6-3(b)(1) subsections a, c, f and h.

Transmitted herewith is the Historic Preservation Commission's resolution with application for designation, which shall serve as the Commission's report, recommending that the Jacob Purdy House be designated a landmark. The entire record is available at the Clerk's office for examination. Please be aware that the Commission's recommendation shall be deemed approved unless, by resolution, the Council disapproves the proposed action within 45 days after it first appears on the Council's agenda.

Respectfully submitted,


Robert Hoch
Chairperson

DATED: July 13, 2016
(For the August 1, 2016 Common Council Meeting)

enc.

RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF WHITE PLAINS RECOMMENDING THE DESIGNATION OF PROPERTY KNOWN AS 60 PARK AVENUE (THE "JACOB PURDY HOUSE"), APPLICATION NO. H-2016-2, AS A LOCAL LANDMARK.

WHEREAS, pursuant to Section 9-6-2(h) of the City of White Plains Municipal Code (the "Municipal Code"), the Historic Preservation Commission of the City of White Plains (the "Commission") has the authority to recommend the designation of local landmarks or districts and is charged with maintaining an inventory of designated local landmarks or districts within the City; and

WHEREAS, pursuant to the Municipal Code Section 9-6, recommendations proposing properties for local landmark designation may be initiated by the Commission; and

WHEREAS, at its regular meeting on March 9, 2016, the Commission discussed an application recommending property known as 60 Park Avenue, White Plains, NY, be considered for possible designation as a local landmark; and

WHEREAS, at the March 9, 2016 meeting of the Commission, the Commission voted unanimously to propose 60 Park Avenue as a designated local landmark pursuant to its powers under Chapter 9-6 of the Municipal Code; and

WHEREAS, the application proposing the designation of the Jacob Purdy House contained the necessary information such as the following:

- (i) A concise description of the physical elements, qualities, architectural style, period and historical significance represented by the building, structure, site or object, including a consideration of design, scale, material, workmanship and spatial qualities, as relevant;

- (ii) A concise statement of how the building, structure, site or object meets the criteria of "landmark" as provided in Municipal Code Section 9-6-3(b);
- (iii) Exterior photograph of the building, structure, site or object and a site map illustrating the characteristics enumerated in Municipal Code Section 9-6-3(b);
- (iv) The name and address of the property owner(s);
- (v) The name, address and telephone number of the person, agency, organization or entity which submitted the proposal and the person, organization, agency or entity represented; and
- (vi) Any other information that the Commission may reasonably find necessary in order to consider an application for proposed designation; and

WHEREAS, 60 Park Avenue is designated on the Official Tax Assessment Map of the City of White Plains as Section 125.58, Block 5, Lot 17; and

WHEREAS, on March 4, 1985, the City of White Plains entered into an agreement with the Battle of White Plains Monument Committee, Inc., which provided for a 99 year lease of the Jacob Purdy House with certain renovations funded by the City; and

WHEREAS, the Jacob Purdy House is listed on the National Register of Historic Places; and

WHEREAS, the Jacob Purdy House is the colonial era residence of the Horton and Purdy families, both of whom were founding families of the Town of White Plains; is documented as General George Washington's Headquarters from July 21 through September 16, 1778; and was the likely Washington's headquarters during the opening of the Battle of White Plains in late October 1776; and

WHEREAS, the Commission discussed the additions and alterations made to the Jacob Purdy House, its present conditions and surroundings; and

WHEREAS, the Commission further noted that the Jacob Purdy House represents the shingle style farm house typical to the Northeast in the 18th and 19th Centuries, which houses are extremely rare in White Plains as many were burned by American troops on or about November 4, 1776 following the Battle of White Plains; and

WHEREAS, pursuant to Section 9-6(3)(C), a duly notice public hearing was held on April 13, 2016 and May 11, 2016, to consider the designation of the Jacob Purdy House as a local landmark; and

WHEREAS, at the April 13, 2016 and May 11, 2016, members of the public were afforded the opportunity to speak in favor of, or against, the proposed designation of the Jacob Purdy House as a local landmark; and

WHEREAS, at the May 11, 2016 meeting, the Commission considered and reviewed all the information submitted regarding the Jacob Purdy House; and

WHEREAS, after a complete review of the record, and after having had due deliberations thereon, now, therefore, be it

RESOLVED, that at the May 11, 2016 meeting, the Historic Preservation Commission made the following findings of fact:

1. the Jacob Purdy House possess special historic value as part of the political history of the nation as it is the documented headquarters of General George Washington from approximately July 21 through September 16, 1778, and the likely headquarters of Washington from October 23-28, 1776 at the opening of the Battle of White Plains;

2. The Jacob Purdy House identifies with persons significant in local and national history as it is the documented headquarters of George Washington and the colonial era residence for members of the Horton and Purdy families, both of which are founding families of White Plains;

3. The Jacob Purdy House possesses special historic value as part of the political history of the City as it was the residence of patriot, Jacob Purdy who served on the Committee of the County of Westchester to pick delegates for the Provincial Congress and his wife, Abigail Smith Purdy;

4. The Jacob Purdy House possesses special historic value as part of the political and cultural history of the City as it was built by Samuel Horton, a relative of two of the original patentees of the Town of White Plains;

5. The Jacob Purdy House, constructed in 1720 and then enlarged in 1750, embodies the distinguishing characteristics of the architectural style of a colonial "salt box" style farm house;

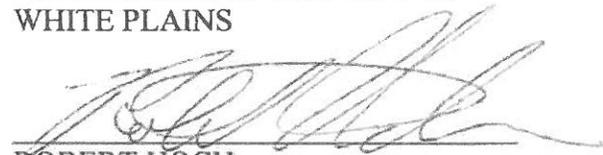
6. The Jacob Purdy House, which embodies the distinguishing characteristics of a the typical style shingled farm house in the Northeast in the 18th and 19th Centuries is extremely rare in the City of White Plains as many of the colonial structures were burned by American troops on or about November 4, 1776, following the Battle of White Plains; and

BE IT FURTHER RESOLVED, that the Historic Preservation Commission hereby recommends that 60 Park Avenue, also known as the Jacob Purdy House, be designated a local landmark pursuant to Municipal Code Section 9-6-3(b)(1): subsection (a) as the structure possesses special character, historic, aesthetic interest or value as part of the cultural, political, economic or social history of the City, region, state or nation; subsection (c) as the structure

identifies with persons or events significant in local, state, or national history; subsection (f) as the structure embodies the distinguishing characteristics of an architectural style; and subsection (h) as the property has yielded or may be likely to yield information important to the study of the prehistory or history of the region, state, or nation.

Dated: June 8, 2016

HISTORIC PRESERVATION
COMMISSION OF THE CITY OF
WHITE PLAINS



ROBERT HOCH
Chairperson

I HEREBY CERTIFY the above to be a full, true and correct copy of a resolution duly adopted by the Historic Preservation Commission of the City of White Plains on the date above mentioned, five (5) members of the Commission being present and concurring; said resolution being filed in the office of the City Clerk.



Anne McPherson
Secretary

Dated: June 8, 2016
White Plains, New York

WHITE PLAINS HISTORIC PRESERVATION COMMISSION
NOMINATION FOR
DESIGNATION OF LANDMARK OR HISTORIC DISTRICT

(Pursuant to Title IX of the White Plains Municipal Code)

APPLICANT INFORMATION

Please Note: Only the property owner or the White Plains Historic Preservation Commission may initiate an application for the designation of a local landmark or historic district (see Sec. 9-6-3 White Plains Municipal Code).

Applicant Name: **FOR INFORMATIONAL PURPOSES**

Mailing Address: _____

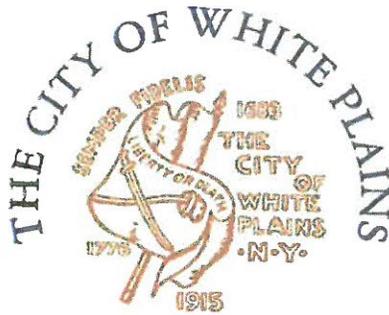
Telephone: _____

Email: _____

If applicant is acting through an authorized agent or legal representative, identify agent's name, address and telephone:

PROPERTY INFORMATION

Designation Sought
(check one): X Landmark _____ Historic District



**City of White Plains
Historic Preservation Commission**

LANDMARK FORM

Instructions:

This form is used by a property owner for making an application for local landmark or historic district status under the City of White Plains Historic Preservation Law. Please fill out this application completely. If an item does not apply to the property, please enter "N/A" for "not applicable" rather than leave the item blank. If additional space is needed, please use clearly marked continuation sheets.

For individual landmarks: Please attach exterior photographs of the building, structure, site or object and a site map illustrating the characteristics enumerated in [Municipal Code Section 9-6-3 \(b\)](#) (see also: Appendix 1).

For historic districts: Please attach a map showing the boundaries of the proposed district and the location of buildings, structures, sites or objects therein. Please also attach the name and address of every property owner within the proposed district.

Applicants may attach any other information that they believe the Commission may reasonably find necessary to consider an application for proposed designation.

Upon completion, please mail this application and all supporting documentation to:

White Plains Historic Preservation Commission

Robert Hoch, Chair

c/o Building Department

70 Church Street

White Plains, NY 10601

TEL (914) 422-1269

FAX (914) 422-1471

Please Note: Additional sheets may be added to this application if necessary to answer any or all of the questions below. For designation of a "Historic District," please include, as a separate appendix to this application, the "Property Information" requested below for each and every property located within said proposed district, which is believed to meet the criteria as an individual landmark.

Property Address: 60 Park Avenue

White Plains, NY 10603

Name of Property (if applicable): Jacob Purdy House National Historic Site

Tax Map ID No.: _____

Zoning Classification: _____

Parcel Size: _____

Present Use of Property: Managed as a historic site/museum by the White Plains Historical Society.

Residential unit on second floor.

Historic Use of Property (if applicable): Colonial era residence for members of the Horton and Purdy families (both

founding families of White Plains) including patriot Jacob Purdy, and his wife Abigail Smith Purdy.

Documented headquarters of General George Washington, July 21- September 16, 1778. Likely

headquarters for Washington, October 23-October 28, 1776 at the opening of the Battle of White

Plains. Continued as a residence for the Purdy/Ferris families through the mid 19th Century.

Year of Construction: Cir. 1720. Enlarged Cir. 1750

Original architect (if known): unknown

Original builder (if known): Samuel Horton (birth and death date unknown)

Original and subsequent owners of the property, including dates of ownership (if known):

Samuel Horton (Cir. 1720- Cir. 1730); Samuel 3 Purdy (Cir. 1748-1760); Samuel 4 Purdy or Samuel 5 Purdy (1766-1784) Jacob 5 Purdy (1760-1766; 1784-1822); Jacob 6 Purdy Jr. (1822-1866); James Madison Ferris & Permelia 7 Purdy Ferris (1866-1869); Solomon Mott (1869-?).

Describe the architectural style of the property:

Colonial shingle "salt box" style farmhouse.

Describe primary building materials:

Foundation: Concrete with field stone facing (Cir. 1973) Roof: Cedar shingle on wood
Walls: Wood frame; shingle on exterior, plaster and lathe on interior. Other: _____

How does the property in its present condition materially differ from the property as originally constructed? Describe material alterations or additions to the property subsequent to its original construction (include dates if known):

The house was enlarged in 1750. The chimneys were repositioned during or after the 1750 enlargement. A full length front porch was probably removed in the first half of the 19th Century. A small addition, possibly a kitchen, was added on the east side of the structure in the 18th Century, but was removed at the beginning of the 20th Century possibly after a fire. Another small existing addition (the pantry) was added to the west side of the house in the 19th Century.

Describe the present condition of the property:

The structure itself looks as the house would have appeared in the mid-19th Century. The house has been subject to significant restoration including a new foundation and installation of modern utility systems (City water, oil heat, burglar/fire alarm, telephone), a new roof structure and new shingles on the roof and walls (Cir 1980), additional floor joists (from period lumber) and some floor boards on the first floor (Cir. 1980), replastering of walls (Cir. 1980) replacement of moldings, windows

commissioned officer in Colonel Thomas Thomas's Westchester Militia (2nd Regiment), Jacob and his fellow soldiers served as guides for the Continental Army in their retreat from New York City to White Plains. Jacob thereafter served as a Captain of a company in Col. Thomas's Westchester Militia (2nd Regiment) from 1778-1783, and later lived on the property beginning in 1784 until his death in 1822. Abigail was the daughter of the Rev. Dr. John Smith (1702-1771) s successful physician and the first pastor of the White Plains Presbyterian Church. Jacob and Abigail were also the uncle and aunt of Benjamin Tallmadge (1754-1835) a colonel in the Continental Army who ran the "Culper Spy Ring" and was later a member of Congress from Connecticut.

The property twice served as the headquarters for George Washington while he was General of the Continental Army. From approximately October 23, 1776, until the morning of October 28, 1776, the house was Washington's headquarters for the opening stages of the battle of White Plains as recorded by General William Heath (1736-1814) ("Headquarters were on the plain near the crossroads", and on October 31st recorded "At night the Americans evacuated the works on the plain near the late headquarters." For analysis see: "Washington in White Plains" by William S. Hadaway, *The Quarterly Bulletin* of the Westchester County Historical Society, 1932). The site was again used as Washington's Headquarters when the Continental Army was camped at White Plains from July 21- September 16, 1778 (as recorded first hand by Ann Bates in 1778). The Jacob Purdy House has been listed as a National Historic Site since 1979 due in large part to Washington's presence and use of the structure as his headquarters.

Describe the physical elements, qualities, architectural style, period and historical significance represented by the property/area, including a consideration of design, scale, material workmanship and spatial qualities, as relevant. Indicate relevant sources of information.

The structure, though significantly restored, represents the style of a shingled farm house, typical to the Northeast in the 18th and 19th Centuries. Houses from such period are extremely rare in White

Plains due to their age and the fact that many of the colonial structures in White Plains were burned by American troops on or about November 4, 1776 following the Battle of White Plains.

Please explain how the building, structure, site, object, or district meets the criteria of "landmark" as provided in Municipal Code Section 9-6-3 (b) (i.e., why it merits designation as a landmark or historic district). In the case of an historic district, provide a justification of the boundaries of the district.

As stated above, the building meets the criteria for a landmark under subsections (a), (c), (f) and (h) of Section 9-6-3 for Landmark status under the City of White Plains Historic Preservation Law, by being one of the last remaining 18th Century structures in White Plains, having served as the home to members of 2 of the founding families of White Plains, including patriot Jacob Purdy and his wife Abigail Purdy Smith, and by having served twice as the military headquarters of General George Washington in 1776 and 1778.

Please include exterior photographs of the building, structure, site or object which is the subject of this application, and a site map illustrating the characteristics enumerated in Municipal Code Section 9-6-3(b) (multiple photographs and maps may be included as an exhibit to this application).

CERTIFICATION

APPLICANT: I hereby certify that this application is accurate and complete to the best of my knowledge, and that I am the owner in fee simple of said property located at _____, or I am the authorized agent of said owner.

Please Note: Applications submitted by property owners for a "Historic District" should include this "Certification" from all owners of properties located in such district that are believed to individually meet the criteria for landmark status. Applicant may include multiple pages to reflect such certifications.

Applicant's Signature: _____ Date: _____

Appendix 1:

City of White Plains Historic Preservation Law

Sec. 9-6-3. - Designation of local landmarks or historic districts.

(b) *Criteria.*

(1) *Individual landmarks.* The commission may designate an individual property as a local landmark if it:

- a. Possesses special character, historic, aesthetic interest or value as part of the cultural, political, economic or social history of the city, region, state or nation; or
- b. Derives its primary significance from architectural or artistic distinction or historical importance; or
- c. Identifies with persons or events significant in local, state, or national history; or
- d. Is a cemetery that derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- e. Is the birthplace or grave of a historical figure of outstanding importance; or
- f. Embodies the distinguishing characteristics of an architectural style; or
- g. Is the work of a noted designer, architect, or builder; or
- h. The property has yielded or may be likely to yield information important to the study of the prehistory or history of the region, state, or nation.

(2) *Historic districts.*

- a. The commission may designate a group of properties as a historic district if the majority of properties contained therein meet one or more of the criteria for designation of an individual landmark.
- b. Historic buildings, structures, and sites must possess identified historic or architectural merit of a degree warranting their preservation.
- c. Districts may be geographic or thematic in nature.

