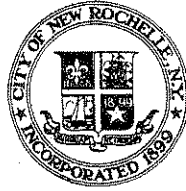


City Clerk



**CITY COUNCIL AGENDA
CITY HALL, 515 NORTH AVENUE
CITY OF NEW ROCHELLE
COMMITTEE OF THE WHOLE SESSION
WEDNESDAY, SEPTEMBER 15, 2010
3:45 P. M.**

3:45 P. M. – 4:00 P. M. Howard Rattner, Commissioner of Finance
Re: 2010 Budget Review

Report by Commissioner of Finance is re-scheduled to Tuesday, September 21, 2010

7:30 P. M.:

PRESENTATIONS -

CITY COUNCIL COMMENDATION -
JEREMY COURT
STATE TENNIS SINGLES CHAMPIONSHIP TITLE

MAYORAL PROCLAMATION AND
CERTIFICATES OF ACHIEVEMENTS -
RE: NEW ROCHELLE LITTLE LEAGUE

PUBLIC HEARING(S) THIS EVENING:

List of Public Hearing(s) is as follows -

PROPOSED AMENDMENT TO ZONING CODE, MAP, CHAPTER 331
RE: PROPOSED CHANGE IN ZONING CLASSIFICATION -
64 NARDOZZI PLACE
FROM LI, LIGHT INDUSTRIAL, TO LSR, LARGE SCALE RETAIL

CITIZENS TO BE HEARD

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WEDNESDAY, SEPTEMBER 15, 2010

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WEDNESDAY, SEPTEMBER 15, 2010

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COMMENDATION(S):

1.

PUBLIC HEARING(S) THIS EVENING:

(List of Public Hearings, with related memos and proposed legislation)

PROPOSED AMENDMENT TO ZONING CODE, MAP, CHAPTER 331

RE: 64 NARDOZZI PLACE

FROM LI, LIGHT INDUSTRIAL, TO LSR, LARGE SCALE RETAIL

(Intro. 7/13/10; Public Hearing 9/14/10)

2.

Communication dated June 25, 2010 from Michael W. Freimuth, Commissioner of Development, wherein he recommends that the City Council declare its intent to be Lead Agency, that the matter be referred to the County and the City's Planning Board, and that a Public Hearing be scheduled, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration. (Full Environmental Assessment Form was previously provided)

2.1. Communication dated June 25, 2010 from John A. Vasile, of McGovern, Connelly & Davidson, Attorneys at Law, wherein he requests the rezoning of a portion of 64 Nardoizzi Place be rezoned from LI, Light Industrial, to LSR, Large Scale Retail, forwarded by Charles B. Strome, III, City Manager.

2.2. Communication dated August 24, 2010 from Michael W. Freimuth, Commissioner of Development, relative to the proposed rezoning and wherein he advises that the Planning Board, at its meeting held on Tuesday, July 27, 2010, recommended that the proposed changes be adopted, with the condition that any change in tenancy require the preparation of a traffic study and City Council's approval.

Negative Declaration:

2.3. Resolution issuing a negative Declaration of Environmental Significance Under the Regulations Promulgated by the New York State Department of Environmental Conservation, and directing compliance with same regarding the actions amending the New Rochelle Zoning Map; forming part of Chapter 331; Zoning, of the New Rochelle Zoning Code, by changing the zoning classification of the easterly portion of Block 550, Lot 32 (64 Nardoizzi Place) from LI, Light Industrial, to LSR, Large Scale Retail.

PUBLIC HEARING(S) THIS EVENING: (Cont'd.) REVISED PAGE
(List of Public Hearings, with related memos and proposed legislation)

PROPOSED AMENDMENT TO ZONING CODE, MAP, CHAPTER 331
RE: 64 NARDOZZI PLACE
FROM LI, LIGHT INDUSTRIAL, TO LSR, LARGE SCALE RETAIL
(Intro. 7/13/10; Public Hearing 9/14/10)

Proposed Amendment:

- 2.4. Ordinance amending the New Rochelle Zoning Map, forming part of Chapter 331, Zoning, of the New Rochelle Zoning Code, by changing the zoning classification of the easterly portion of Block 550, Lot 32 (64 Nardoizzi Place) from LI, Light Industrial, to LSR, Large Scale Retail. (Rev.)

DEPARTMENT OF DEVELOPMENT:

DIRECTING PUBLIC HEARING
RE: PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND
HOME BUDGETS – 2011

3. Communication dated August 14, 2010 from Michael W. Freimuth, Commissioner of Development, relative to proposed 2011 CDBG and HOME Budgets, with appropriate legislation directing Public Hearing, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

- 3.1. Resolution directing Public Hearing relative to the Draft 2011 U. S. Department of Housing and Urban Development Action Plan for the CDBG/HOME Programs.
 - 3.1.1. **Communication dated September 9, 2010 from Michael W. Freimuth, Commissioner of Development, relative to revision to Proposed 2011 CDBG Budget, forwarded by Charles B. Strome, III, City Manager.**

DIRECTING PUBLIC HEARING
RE: SECTION 8 PUBLIC HOUSING AGENCIES (PHA)
2011 ANNUAL PLAN

4. Communication dated July 27, 2010 from Michael W. Freimuth, Commissioner of Development, wherein he recommends that a Public Hearing be directed relative to the 2011 Annual Plan, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

- 4.1. Resolution directing Public Hearing relative to the Section 8 PHA (Public Housing Agencies) 2011 Annual Plan.

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 331; AND
LINCOLN AVENUE URBAN RENEWAL PLAN
RE: NORTH AVENUE CORRIDOR REZONING
(Intro. 7/13/10; Public Hearing)

5. Communication dated August 16, 2010 from Michael W. Freimuth, Commissioner of Development, wherein he recommends that a Public Hearing relative to the proposed North Avenue Corridor rezoning be directed, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

Lead Agency:

- 5.1. Resolution (previously adopted).

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 331; AND
LINCOLN AVENUE URBAN RENEWAL PLAN
RE: NORTH AVENUE CORRIDOR REZONING
(Intro. 7/13/10; Public Hearing)

Proposed Amendments:

- 5.2. Ordinance amending Sections 331-5, Enumeration of Districts, 331-28, Mixed Use District; and adding Sections 331-54.1 and 331.76.1, North Avenue Zone, of Chapter 331, Zoning, of the New Rochelle Zoning Code.

5.2.1. Resolution directing Public Hearing on

- 5.3. Ordinance amending the New Rochelle Zoning Map, forming part of Chapter 331, Zoning, by creating a new Zoning District (Section 54.1) under Article VII, North Avenue (NA) Zoning, mapping the proposed North Avenue (NA) Zoning District, changing the zoning classification of certain properties located along North Avenue currently zoned Neighborhood Business (NB) to the North Avenue Zoning District (NA), changing the zoning classification of certain properties located within the area of Winthrop and Brook Street from NB, Neighborhood Business, to R2-7.0, Two-Family Residence, changing the zoning classification of certain properties located within the area of Winthrop and Brook Street from C-1M, General Commercial Modified, to RMF-0.7, Residential Multi-Family, changing the zoning classification of certain properties located within the area of Park Place from Neighborhood Business (NB) and Light Industrial, LI, to RMF-0.7, Residential Multi-Family, and changing the zoning classification of certain properties located within the area of Rochelle Place from Downtown Business (DB) to North Avenue (NA).

5.3.1. Resolution directing Public Hearing on

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 331; AND
LINCOLN AVENUE URBAN RENEWAL PLAN

RE: NORTH AVENUE ZONING (Cont'd.)

(Intro. 7/13/10; Public Hearing)

Proposed Amendments:

- 5.4. Ordinance amending Sections 331-126E(3)(B) of Chapter 331, Zoning, of the New Rochelle Zoning Code in relation to alternate locations for required off-street parking facilities by adding the NA, North Avenue Zoning District.

- 5.4.1. Resolution directing Public Hearing on

Lincoln Avenue Urban Renewal Plan:

- 5.5. Resolution amending the Lincoln Avenue Urban Renewal Plan, Section G, Standards and Controls for Redevelopment.

- 5.5.1. Resolution referring the proposed amendments to the Planning Board and the Westchester County Department of Planning and directing a Public Hearing on

PROPOSED AMENDMENT TO 2010 BUDGET

RE: ACCEPTANCE OF GRANT FROM NEW YORK STATE OFFICE OF
PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE
CREATION OF AN HISTORIC PRESERVATION WEBSITE

6. Communication dated August 16, 2010 from Michael W. Freimuth, Commissioner of Development, wherein he recommends that the City Council authorize the acceptance of a grant and the required in-kind funding match to create an Historic Preservation website, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

- 6.1. Ordinance accepting the New York State Office of Parks, Recreation and Historic Preservation Certified Local Government Grant and amending Ordinance No. 239 of 2009, the Budget of the City of New Rochelle for 2010 (Historic Preservation Website Designs).

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

HARTLEY HOUSES PROJECT
REAFFIRMATION OF SEQRA FINDINGS ;
ADOPTION OF NEGATIVE DECLARATION

7. Communication dated August 18, 2010 from Michael W. Freimuth, Commissioner of Development, wherein he recommends that the City Council reaffirm the previously adopted findings and issue a Negative Declaration of Environmental Significance with regard to the minor changes to the project, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 7.1. Resolution reaffirming the previously adopted Findings Statement and issuing a Negative Declaration of Environmental Significance Under the Regulations Promulgated by the New York State Department of Environmental Conservation regarding the minor amendments made to the Hartley Houses Redevelopment Project.

PROPOSED LICENSE AGREEMENT WITH
S. SMALL, LLC, - SPACE AT THE RAILROAD STATION

8. Communication dated August 23, 2010 from Michael W. Freimuth, Commissioner of Development, wherein he recommends that the City Manager be authorized to execute a License Agreement with Sheila A. Small, LLC, for space at the New Rochelle Railroad Station, under certain terms and conditions, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 8.1. Resolution authorizing the City Manager to execute a license agreement with Sheila Small for the use of office space located on the second floor of the New Rochelle Train Station.

DEPARTMENT OF PUBLIC WORKS:

REVISED PAGE

**PROPOSED FRANCHISE AGREEMENT
RE: TELECOMMUNICATIONS FRANCHISE -
LONG ISLAND FIBER EXCHANGES**

9. Communication dated September 8, 2010 from Joseph Cotroneo, Acting Commissioner of Public Works, wherein he advises that the application complies with the provisions of the Code of the City of New Rochelle, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 9.1. Resolution authorizing the City Manager to enter into a non-exclusive franchise agreement with Long Island Fiber Exchange, Inc., for the installation of a fiber optic cable system through portions of the City of New Rochelle.

**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: NO PARKING ANYTIME – PLAIN AVENUE**

10. Communication dated August 13, 2010 from Jeffrey C. Coleman, PE, Commissioner of Public Works, wherein he recommends, based upon an investigation by the Traffic Engineer, that parking be prohibited at and in the vicinity of 76 Plain Avenue, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 10.1. Ordinance amending Section 312-83 (Schedule XII: Parking Prohibited At All Times) of Chapter 312 (Vehicles and Traffic) of the Code of the City of New Rochelle (Plain Avenue).

DEPARTMENT OF PUBLIC WORKS: (Cont'd.)

PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: PARKING PERMIT ZONES – BEAUFORT PLACE

11. Communication dated August 13, 2010 from Jeffrey C. Coleman, PE, Commissioner of Public Works, wherein he recommends, based upon an investigation by the Traffic Engineer, that a portion of Beaufort Place be designated as a parking permit zone for public business, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 11.1. Ordinance amending Section 312-96 (Schedule XXV: Parking Permit Zones for Public Businesses At Or Adjacent to Government Facilities) of Chapter 312 (Vehicles and Traffic) of the Code of the City of New Rochelle (Beaufort Place).

PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
NO STANDING ANY TIME – GUION PLACE
(Held 7/13/10)

12. Communication dated August 13, 2010 from Jeffrey C. Coleman, PE, Commissioner of Public Works, wherein he recommends, based upon report by the Traffic Engineer in support of proposed changes, that the parking regulations adjacent to the Emergency Room at the Sound Shore Medical Center on Guion Place be amended to prohibit parking in front of the Emergency Room and Ambulance Entrance 180 ft. and along the traffic island, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 12.1. Ordinance amending Section 312-87, Schedule XVI: No Stopping or Standing, of Chapter 312 (Vehicles and Traffic) of the Code of the City of New Rochelle (Guion Place).

DEPARTMENT OF PUBLIC WORKS: (Cont'd.)**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: STREET SWEEPING PARKING REGULATIONS**

(Held 4/13/10, 5/11/10, 6/8/10, 7/13/10)

13. Communication dated March 25, 2010 from Jeffrey C. Coleman, PE, Commissioner of Public Works, wherein he recommends that alternate side of the street parking restrictions, as indicated in Schedule XIII, Section 312-84, be suspended from January 1 through March 1, on those streets and portions of streets subject to winter suspension of alternate side of street sweeping parking regulations in Schedule XIII, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 13.1. Ordinance amending Section 312-40.1, Winter Suspension of Alternate Side of Street Sweeping Parking Regulations of Chapter 312 (Vehicles and Traffic) of the Code of the City of New Rochelle.

**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: "NO PARKING ANYTIME" – PORTION OF LYNCROFT ROAD**

14. Communication dated August 24, 2010 from Jeffrey C. Coleman, PE, Commissioner of Public Works, wherein he recommends, based upon investigation by the Traffic Engineer, that "No Parking Anytime" regulations in front of 56 and 60 Lyncroft Road be removed, that parking be permitted adjacent to Nos. 56 and 60, and that parking be prohibited on the west side from No. 60 to No. 90, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 14.1. Ordinance amending Section 312-83 (Schedule XII: Parking Prohibited At All Times) of Chapter 312 (Vehicles and Traffic) of the Code of the City of New Rochelle (Lyncroft Road).

LAW DEPARTMENT:

PROPOSED SETTLEMENT OF LAWSUIT(S)

15. Resolution (to follow).

POLICE DEPARTMENT:

PROPOSED ACCEPTANCE OF DONATION FROM NEW ROC ASSOCIATES
RE: FUNDING OF ONE POLICE OFFICER – NEW ROC CITY

16. Communication dated August 19, 2010 from Patrick J. Carroll, Police Commissioner, wherein he recommends that the City accept the donation of \$50,000 for the funding of one Police Officer at New Roc City for the calendar year 2010, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 16.1. Resolution accepting a gift from New Roc Associates to partially fund Police services in the vicinity of New Roc City during 2010.

DEPARTMENT OF PARKS AND RECREATION:

PROPOSED LICENSE AGREEMENT RENEWAL
RE: WATANABE MARINE SERVICE

17. Communication dated August 23, 2010 from William V. Zimmermann, Commissioner of Parks and Recreation, wherein he recommends that the City Manager be authorized to execute a renewal agreement with Watanabe Marine Service under certain terms and conditions, for building space at the Municipal Marina property, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 17.1. Resolution authorizing the City Manager to execute a license agreement renewal with Watanabe Marine Service for use and occupancy of a portion of the Annex Building at the New Rochelle Marina.

DEPARTMENT OF PARKS AND RECREATION: (Cont'd.)

PROPOSED EASEMENT AGREEMENT WITH
TEMPLE ISRAEL OF NEW ROCHELLE
RE: COLONIAL GREENWAY TRAIL SYSTEM

18. Communication dated August 20, 2010 from William V. Zimmermann, Commissioner of Parks and Recreation, wherein he recommends that the City Manager be authorized to execute an easement agreement with Temple Israel of New Rochelle for an additional easement for the purpose of creating a walking path connection to the existing Colonial Greenway Trail system, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 18.1. Resolution authorizing the City Manager to execute an easement agreement with Temple Israel of New Rochelle regarding the Colonial Greenway Trail System.

DEPARTMENT OF PERSONNEL:

PROPOSED PAYMENT IN LIEU OF ENROLLMENT IN A
CITY SPONSORED HEALTH INSURANCE PLAN
RE: NON-REP EMPLOYEES

19. Communication dated August 27, 2010 from Omar T. Small, Assistant to the City Manager wherein he recommends that the approval of a payment in lieu of health coverage, similar to the Civil Service Employees' Association, be approved for non representative employees, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 19.1. Ordinance amending Chapter 52-17, Health Insurance, to provide a reimbursement of \$400 in lieu of enrollment in a City sponsored health insurance plan.

CITY CLERK:

**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: ITINERANT VENDORS**

20. Communication dated August 24, 2010 from Bennie F. Giles, III, City Clerk, wherein he recommends certain comprehensive amendments to the Code of the City of New Rochelle relative to itinerant vendors, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 20.1. Ordinance amending Chapter 235-1, Definitions, and 235-14, Restrictions (Peddling & Soliciting) of the Code of the City of New Rochelle.

YOUTH BUREAU:

**PROPOSED AMENDMENT TO CITY CHARTER
LOCAL LAW, INTRO. NO. 4
RE: INCREASE IN YOUTH BOARD MEMBERSHIP
(Intro. 9/15/10; Public Hearing)**

21. Communication dated August 23, 2010 from Kelly Johnson, Youth Bureau Executive Director, wherein he recommends that the City Charter be amended to increase the Youth Board membership from eighteen to twenty one, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 21.1. Local Law, Intro. No. 4, amending Section 81.01, Youth Bureau, of the New Rochelle City Charter.
 - 21.1.1. Resolution directing Public Hearing on

DEPARTMENT OF FINANCE:

REVISED PAGE

PROPOSED EASEMENT AGREEMENT – WILMOT ROAD,
BLOCK 3229, LOT 40; AND
PROPOSED SALE OF CITY OWNED PROPERTY – WILMOT ROAD,
BLOCK 3355, LOT 9.B

22. Communication dated September 2, 2010 from Joseph Cotroneo, Acting Commissioner of Public Works, and Howard Rattner, Commissioner of Finance, relative to proposed easement agreement to construct a drain line on City owned property, Block 3229, Lot 40, and the proposed sale of City-owned property on Wilmot Road, Block 3355, Lot 9.B, to the adjacent property owner, under certain terms and conditions, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 22.1. Resolution authorizing the City Manager to execute a sewer easement agreement with Anthony Giannotti in order to construct a drain line across City-owned property known as Block 3229, Lot 40 (Wilmot Road).
- 22.2. Resolution authorizing the City Manager to enter into a contract of sale with respect to City-owned real property known as Block 3355, Lot 9B (Wilmot Road).

CITY MANAGER:

**STANDARD WORK DAY AND REPORTING
RE: ELECTED/APPOINTED OFFICIALS**

23. Communication dated September 10, 2010 from Omar T. Small, Assistant to the City Manager, wherein he advises of the required adoption of a standard work day resolution for elected and appointed officials in accordance with New York State and Local Retirement System Regulation 315.4, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 23.1. Resolution pursuant to New York State and Local Retirement System Regulation 315.4, reporting for elected or appointed officials establishing standard work days for elected and appointed officials.

CITY MANAGER: (Cont'd.)

CONGRESSIONAL DIRECTED PROJECT 83.10
RE: ENERGY EFFICIENCY UPGRADES

24. (See Discussion Item "e.")

PROPOSED APPLICATION FOR FEDERAL FUNDING
RE: UNIFIED HAZARD MITIGATION ASSISTANCE PROGRAM

25. Communication dated August 27, 2010 from Omar T. Small, Assistant to the City Manager, wherein he recommends that the City apply for federal funding through the Unified Hazard Mitigation Assistance Program and, upon approval, apply for funding under the Hazard Mitigation Plan to mitigate flooding in the Halcyon Park area, Brookdale Avenue, and Brookside Place, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 25.1. Resolution authorizing the City Manager to apply for federal funding through the Unified Hazard Mitigation Assistance Program.

CITY COUNCIL:

REVISED PAGE

HISTORICAL AND LANDMARKS REVIEW BOARD

- 26. Communication (to follow).
- 26.1. Resolution (to follow).

**PROPOSED APPOINTMENT OF CITY COUNCIL MEMBER
RE: CITY COUNCIL DISTRICT NO. 3**

- 27.1. **Resolution appointing Roxie E. Stowe to fill the vacancy in the office of Council Member for District 3.
Sponsored by Mayor Bramson**
- 27.2. **Resolution appointing Pearl A. Quarles to fill the vacancy in the office of Council Member for District 3.
Sponsored Council Member Tarantino**

SUPPLEMENTAL ITEMS

UNFINISHED BUSINESS

NEW BUSINESS

SEPTEMBER, 2010

Regular Legislative Meeting: Tuesday, September 21, 2010, at 7:00 P. M.

OCTOBER, 2010

Committee of the Whole Session, Tuesday, October 12, 2010, at 3:45 P. M.

Regular Legislative Meeting: **Thursday**, October 21, 2010, at 7:00 P. M.

DISCUSSION ITEMS:

REQUESTED BY STAFF:

- a. Motion To Enter Into Executive Session
Re: Real Estate; and Personnel
Requested by City Manager
- b. Impact of Downtown Parking Changes
Communication dated August 30, 2010 from Michael W. Freimuth, Commissioner of Development, relative to parking changes in the Downtown, forwarded by Charles B. Strome, III, City Manager.
Requested by Commissioner of Development
- c. Draft "GreenNR the New Rochelle Sustainability Plan"
(For Draft – See City's Website @www.NewRochelleNY.com)
- d. Full Service Vehicle Leasing (pending receipt of proposals on Tuesday, September 14, 2010)
Requested by Commissioner of Public Works
- e. Congressional Directed Project 83.10
Re: Energy Efficiency Upgrades
Requested by City Manager