



**CITY COUNCIL AGENDA
CITY HALL, 515 NORTH AVENUE
CITY OF NEW ROCHELLE
COMMITTEE OF THE WHOLE SESSION
TUESDAY, FEBRUARY 12, 2013
3:45 P. M.**

3:45 P. M. Introduction of New Commissioner of Development

3:50 P. M. – 5:00 P. M. - Daniel Marsh and Kevin Gremse, representing the
National Development Council (NDC)

5:00 P. M.

AGENDA REVIEW

7:30 P. M.:

PUBLIC HEARING(S) THIS EVENING:

List of Public Hearing(s) is as follows –

PROPOSED AMENDMENT TO ZONING CODE
RE: MISCELLANEOUS ZONING CHANGES

PRESENTATIONS:

New Rochelle High School Varsity Football Team

CITIZENS TO BE HEARD

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COMMENDATION(S):

1.

PUBLIC HEARING(S) THIS EVENING:

List of Public Hearing(s) with related memos and proposed legislation

PROPOSED AMENDMENT TO ZONING CODE

RE: VARIOUS ZONING TEXT AMENDMENTS

(Intro. 1/8/13; Public Hearing 2/12/13)

2. Communication dated December 10, 2012 from Paul Vacca, Deputy Commissioner of Development/Building Official, and Eleanor Sharpe, Director of Planning, wherein they recommend certain miscellaneous changes to the Zoning Ordinance for the reasons outlined, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

- 2.1. Planning Board Resolution No. 7-2013 adopted on January 29, 2013, recommending that the City Council approve the proposed amendment.

Negative Declaration:

- 2.2. 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 action amending various sections of Chapter 331, Zoning, of the New Rochelle Zoning Code.

Proposed Ordinance:

- 2.3. Ordinance amending various sections of Chapter 331, Zoning, of the New Rochelle Zoning Code. (Rev.)

DEPARTMENT OF DEVELOPMENT:

PROPOSED AMENDMENT TO 2013 BUDGET

RE: MUNICIPAL IMPACT FEE – MAPLE TERRACE

FROM THE GENERAL FUND TO THE PARKING FUND

3. Communication dated January 28, 2013 from Joan McCallion, Acting Commissioner of Development, wherein it is requested that the transfer of funds in the amount of \$250,000 be authorized for the purpose of making improvements to the Church-Division Parking Garage and the Prospect Street Parking Lot, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 3.1. Ordinance amending Ordinance No. 196 of 2012, the Budget of the City of New Rochelle for 2013, relative to the transfer of funds from the General Fund to the Parking Enterprise Fund (Maple Terrace Senior Housing Project).

DIRECTING PUBLIC HEARING

RE: PROPOSED AMENDMENT TO 2008-2012 CONSOLIDATED PLAN AND THE
2009-2012 ACTION PLANS FOR THE CDBG PROGRAM

4. Communication dated January 24, 2013 from Joan McCallion, Acting Commissioner of Development, wherein it is requested that a date be set for a Public Hearing relative to the proposed amendment, 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 amendment to the 2008-2012 Consolidated Plan and the 2009-2012 Action Plans for the Community Development Block Grant (“CDBG”) Program.

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

REVISED PAGE

**PROPOSED LICENSE AGREEMENT WITH
JEN'S COMMUNITY AT WILDCLIFF**

5. Communication dated January 24, 2013 from Joan McCallion, Acting Commissioner of Development, wherein it is recommended that the City Manager be authorized to enter into a License Agreement for the use of the Wildcliff property by Jen's Community at Wildcliff (JCW) for educational programming, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 5.1. Resolution authorizing a license agreement for the use of Wildcliff Manor by Jen's Community at Wildcliff for its educational program, "Back to the Wild, a Discovery Series for Children and Their Adults" from March 1, 2013, through April 30, 2013.

**PROPOSED FIRST AMENDMENT TO
RESTATED MEMORANDUM OF UNDERSTANDING
RE: ECHO BAY CENTER WATERFRONT REDEVELOPMENT**

6. Communication dated February 4, 2013 from Joan McCallion, Acting Commissioner of Development, wherein it is recommended that the City Council approve a one-year extension to the MOU and refinements to the document, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 6.1. **Resolution authorizing the City Manager to execute a First Amendment to Restated Memorandum of Understanding with Forest City Residential Group, Inc., for the Echo Bay Development Project.**

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

DIRECTING PUBLIC HEARING

RE: DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

NOTICE OF COMPLETION

ECHO BAY CENTER WATERFRONT REDEVELOPMENT

7. Communication dated January 25, 2013 from Joan McCallion, Acting Commissioner of Development, wherein it is recommended that the DEIS be declared complete and that a Public Hearing be directed, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 7.1. Resolution issuing a Notice of Completion and scheduling a Public Hearing on the Draft Environmental Impact Statement regarding the Echo Bay Waterfront Redevelopment Project.

PROPOSED AUTHORIZATION TO ENTER INTO CONTRACT FOR REAL ESTATE BROKER SERVICES FOR SELECTED CITY-OWNED PROPERTIES

8. Communication dated January 30, 2013 from Joan McCallion, Acting Commissioner of Development, wherein it is recommended that the City Manager be authorized to enter into a contract with Houlihan-Parnes Realtors, LLC, for real estate broker's services for selected City-owned properties in accordance with certain terms, 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 enter into a contract with Houlihan Parnes Realtors, LLC, to provide real estate broker's services for selected City-owned properties.

LAW DEPARTMENT:

PROPOSED SETTLEMENT OF LAWSUIT(S)

9. None.

DEPARTMENT OF PUBLIC WORKS:PROPOSED EASEMENT - CVS NORTH AVENUE

10. Communication dated January 30, 2013 from Alexander Tergis, Commissioner of Public Works, wherein he recommends, based upon review with the Traffic Engineer, that the City Council approve the proposed project and site development plans for the CVS Pharmacy at 218-222 North Avenue, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 10.1. Resolution declaring the intention of the New Rochelle City Council to assume Lead Agency status under the Regulations Promulgated by the New York State Department of Environmental Conservation in relation to the request of CVS Albany, LLC, for an easement over City-owned property in order to relocate the loading space from North Avenue to the City-owned access way immediately adjacent to the CVS store and referring same to the involved and interested agencies for review and recommendation.
 - 10.1.1. Resolution authorizing the City Manager to grant an easement to CVS Albany, LLC over City-owned property in order to relocate the loading space from North Avenue to the City-owned access way immediately adjacent to the CVS store located at 218-222 North Avenue ("Proposed Project").

PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: PARKING PERMIT ZONES FOR PUBLIC BUSINESS AT OR
ADJACENT TO GOVERNMENT FACILITIES
794 NORTH AVENUE (HUGUENOT CHILDREN'S LIBRARY)

11. Communication dated December 28, 2012 from Alexander Tergis, Commissioner of Public Works, wherein he recommends, based upon study by the Traffic Engineer, that a permit parking space for government vehicles be established in front of subject location, 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 Business at or Adjacent to Government Facilities) of Chapter 312, Vehicles and Traffic, of the Code of the City of New Rochelle (Huguenot Children's Library).

DEPARTMENT OF PUBLIC WORKS: (Cont'd.)

**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: STREET NAME CORRECTIONS**

12. Communication dated February 4, 2013 from Alexander Tergis, Commissioner of Public Works, and Barry Nechis, OEM/EMS Coordinator, wherein they recommend that discrepancies in the spelling of various street names be corrected, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

12.1. Ordinance (to follow).

DEPARTMENT OF FINANCE:

**PROPOSED REFUNDING OF 2004 SERIES A AND C AND
2005 SERIES A AND B BONDS**

(To be voted on Tuesday, February 12, 2013)

13. Communication dated February 1, 2013 from Howard Rattner, Commissioner of Finance, wherein it is recommended that outstanding bonds be called in order to maximize debt service savings, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

13.1. Resolution dated February 12, 2013 authorizing the issuance pursuant to Section 90.10 of the Local Finance Law of refunding bonds of the City of New Rochelle Westchester County, New York, to be designated "Public Improvement Refunding (Serial) Bonds", and providing for other matters in relation thereto and the payment of the bonds to be refunded thereby.

POLICE DEPARTMENT:

**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: CHAPTER 316 – BOOTING OF VEHICLES**

14. Communication dated January 30, 2013 from Patrick J. Carroll, Police Commissioner, wherein he recommends that certain amendments to the Code of the City of New Rochelle be considered in order to effectively enforce Chapter 316, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

- 14.1. Ordinance amending Chapter 316, Vehicles, Towing of, the Code of the City of New Rochelle.

FIRE DEPARTMENT:

**PROPOSED AMENDMENT TO 2013 BUDGET
RE: FIRE ACT GRANT**

15. Communication dated January 17, 2013 from Louis DiMeglio, Fire Chief, wherein he recommends that the Fire Act Grant through FEMA be accepted and that the 2013 Budget be amended accordingly, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

- 15.1. Ordinance accepting the Assistance to Firefighters Grant from the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security for purchasing equipment for the New Rochelle Fire Department, amending Ordinance No. 218 of 2011, the Budget of the City of New Rochelle for 2012, and appropriating funds therefor.

FIRE DEPARTMENT: (Cont'd.)

WESTCHESTER COUNTY FIRE MUTUAL AID PLAN

16. Communication dated January 28, 2013 from Louis DiMeglio, Fire Chief, wherein he recommends that the City Council approve and adopt the updated Westchester County Fire Mutual Aid Plan in order to demonstrate the City's renewed commitment to participating in the provision of mutual aid, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

- 16.1. Resolution approving the City of New Rochelle Fire Department participation in the Westchester County Fire Mutual Aid Plan.

CITY CLERK:

APPLICATIONS – SPECIAL PERMIT FOR THE OPERATION OF CABARET

8 South Division Street Corporation:

- 17.1. Communication (to follow).
- 17.1.1. Resolution regarding Lead Agency (to follow).
- 17.1.1.1. Resolution directing Public Hearing (to follow).

Alvin and Friends:

- 17.2. Communication (to follow).
- 17.2.1. Resolution regarding Lead Agency (to follow).
- 17.2.1.1. Resolution directing Public Hearing (to follow).

CITY MANAGER:

**PROPOSED AMENDMENT TO 2013 BUDGET
RE: PARKING ANALYSIS – CORE RESTAURANT DISTRICT**

18. Communication dated February 1, 2013 from Charles B. Strome, III, City Manager, wherein he recommends that the City Council authorize an amendment to the 2013 Budget in an amount of up to \$5,000 for the Business Improvement District to conduct a parking analysis of the Downtown New Rochelle Core Restaurant District, forwarded with appropriate legislation for consideration.
 - 18.1. Ordinance authorizing the City Manager to enter into a contract with the Downtown New Rochelle Business Improvement District for parking analysis of the Downtown New Rochelle Core Restaurant District, amending Ordinance No. 196 of 2012, the Budget of the City of New Rochelle for 2013, and appropriating funds in accordance thereto.

CITY COUNCIL:

19. **NEW ROCHELLE INDUSTRIAL DEVELOPMENT AGENCY
(IDA) APPOINTMENT**
 - 19.1. Resolution (to follow).

SUPPLEMENTAL ITEMS:

UNFINISHED BUSINESS

NEW BUSINESS

FEBRUARY, 2013

Regular Legislative Meeting, Tuesday, February 19, 2013, at 7:00 P. M.

MARCH, 2013

Committee of the Whole Session, Tuesday, March 12, 2013, at 3:45 P. M.

Regular Legislative Meeting, Tuesday, March 19, 2013, at 7:00 P. M.

DISCUSSION ITEMS:

REVISED PAGE

REQUESTED BY STAFF:

- a. 325th Anniversary Celebration/City of New Rochelle Street Fair Event proposal for Sunday, September 8, 2013
Communication dated February 8, 2013 from Hon. Marianne L. Sussman, Chairperson, 325th Anniversary Committee, relative to the proposed street fair.
Requested by Commissioner of Parks and Recreation
- b. Auray Gourmet of Larchmont Bastille Day Festival Event Proposal for Sunday, July 14, 2013
Requested by Commissioner of Parks and Recreation
- c. Letter of Agreement with Good Profit
Re: The Armory
Requested by Acting Commissioner of Development
- d. Beechmont Lake – Fountain Pumps Initiative; and Replacement of Fountains at Twin Lakes
Communication dated January 31, 2013 from Charles B. Strome, III, City Manager, relative to the fountains at the Twin Lakes in front of the New Rochelle High School.
Requested by City Manager, Commissioner of Public Works and the Commissioner of Parks and Recreation
- e. **New York Youth Works Grant Program Update**
Communication dated February 7, 2013 from Kelly Johnson, Youth Bureau Director, relative to status report for subject program, forwarded by Charles B. Strome, III, City Manager.
Requested by Youth Bureau Director
- f. Motion to Enter Into Executive Session
Re: Personnel
Requested by City Manager

REQUESTED BY CITY COUNCIL:

- a.a. Proposed Establishment Of Policy For Background Checks
Re: City Of New Rochelle Municipal Youth Programs
Requested by Mayor Bramson
- b.b. Green Job Training
Requested by Council Member Rice
- c.c. Motion to Enter Into Executive Session
Re: Appointment to the I.D.A.
Requested by Mayor Bramson