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TUESDAY, JULY 14, 2015**

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REVISED PAGE

**CITY COUNCIL AGENDA
CITY HALL, 515 NORTH AVENUE
CITY OF NEW ROCHELLE
COMMITTEE OF THE WHOLE SESSION
TUESDAY, JULY 14, 2015
3:45 P. M.**

3:45 P. M. – 4:15 P. M. **O’Conner Davis, LLP, Auditors
Re: Annual Audit**

4:15 P. M. – 4:25 P. M. **New Rochelle Council on the Arts
Re: ArtsEncounters, Summer Concerts, ArtsFest and
40th Anniversary**

4:15 P. M.

AGENDA REVIEW

7:30 P. M.

PRESENTATION(S):

David Stewart
New Rochelle High School Swimmer

Mariajose Ocegura
New Rochelle High School Swimmer

PUBLIC HEARING(S) THIS EVENING

None

CITIZENS TO BE HEARD

COMMENDATION(S):

1.

PUBLIC HEARING(S) THIS EVENING:

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

None

DEPARTMENT OF DEVELOPMENT:

PROPOSED AMENDMENT TO 2015 BUDGET

RE: HOPE HOMELESS RESOURCE CENTER CONTRACT RENEWAL

2. Communication dated June 29, 2015 from Luiz C. Aragon, Commissioner of Development, wherein he advises that the Department of Development recommends that an extension and renewal of the Homeless Resource Center contract for the period September 1, 2015 through December 31, 2016, be extended and that the 2015 Budget be amended accordingly for a portion of the cost, with the balance to be funded from the 2016 Budget, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 2.1. Ordinance amending Ordinance No. 98 of 2014, authorizing the City Manager to extend the contract with Hope Community Services from September 1, 2015 through December 31, 2016, for the provision of homeless resource services, amending Ordinance No. 207 of 2014, the Budget of the City of New Rochelle for 2015, and appropriating funds therefor.

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

**PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 331
RE: DEFINITION OF "CARRY-OUT RESTAURANT"**

(Intro. 7/14/15; Public Hearing)

3. Communication dated June 25, 2015 from Luiz C. Aragon, Commissioner of Development, wherein he advises that the Department of Development staff recommends that a Public Hearing be held relative to a proposed amendment to the Zoning Code in order to clarify the definition of "Restaurant, Carry-out", forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 3.1. Resolution declaring Lead Agency status relative to the proposed ordinance amending Section 331-4, Specific Terms Defined (Restaurant, Carry-Out), of Chapter 331, Zoning, of the Code of the City of New Rochelle.
 - 3.1.1. Ordinance amending Section 331-4, Specific Terms Defined (Restaurant, Carry-Out), of Chapter 331, Zoning, of the Code of the City of New Rochelle.
 - 3.1.1.1. Resolution directing Public Hearing on

PROPOSED CONTRACT AGREEMENT

**RE: RENTAL OF INTERMODAL TRANSPORTATION CENTER (ITC) RETAIL SPACE
(FORMER HERTZ SPACE)**

4. Communication dated June 30, 2015 from Luiz C. Aragon, Commissioner of Development, wherein he advises that the Department of Development staff recommends that the City Manager be authorized to execute an agreement with Avis/Budget Rental Cars for the use and occupancy of retail space at the ITC, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 4.1. Resolution authorizing the City Manager to enter into a contract with Avis/Budget Rental Cars for the use and occupancy of the retail space at the Intermodal Transit Center.

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

PROPOSED DOWNTOWN DENSITY BONUS FLOATING OVERLAY ZONE

RE: VIB HOTEL – 43 CHURCH STREET

(Intro. 7/14/15; Public Hearing

)

5. Communication dated June 30, 2015, from Luiz C. Aragon, Commissioner of Development, wherein he advises that following review of the request by the petitioner, 43 Church Street, LLC, the Department of Development staff recommends that the Downtown Density Bonus Floating Overlay Zone be applied to subject site, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 5.1. Resolution declaring Lead Agency status relative to the petition of 43 Church Street, LLC, to apply Downtown Density Bonus Floating Overlay Zoning and to obtain a density bonus to 43 Church Street (Block 414, Lot 51) ("Proposed Action").
 - 5.1.1. Ordinance approving the petition of 43 Church Street, LLC ("Applicant") and amending the New Rochelle Zoning Map, forming part of Chapter 331, Zoning, of the New Rochelle Zoning Code, to apply Downtown Density Bonus Floating Overlay Zoning and approving a density bonus to 43 Church Street (Block 414, Lot 51).
 - 5.1.1.1. Resolution directing Public Hearing on

PROPOSED SALE OF 14 BONNEFOY PLACE

6. Communication dated June 30, 2015 from Luiz C. Aragon, Commissioner of Development, wherein he advises that the Department of Development staff recommends that subject property be sold subject to certain conditions, 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 enter into a contract of sale with respect to City-owned real property known as Block 212, Lot 0055 (14 Bonnefoy Place).

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 331

RE: 63-77 MAPLE AVENUE

(Intro. 7/14/15; Public Hearing)

7. Communication dated July 1, 2015, from Luiz C. Aragon, Commissioner of Development, wherein he advises of a petition received from 63-77 Maple Holdings, LLC, to rezone subject property from R1-10A, One-Family Dwellings, to RMF-0.5, One Family Dwellings (the latter permits two-family and multi-family dwellings) and that the Department of Development staff recommends that the proposed amendment be adopted, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 7.1. Resolution declaring the City Council Lead Agency relative to the proposed 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 63-77 Maple Avenue (Block 428, Lot 116) from R1-10A to RMF-0.5 and referring same to the Planning Board for its review and recommendation (63-77 Maple Avenue Holdings, LLC).
 - 7.1.1. 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 63-77 Maple Avenue (Block 428, Lot 116) from R1-10A to RMF-0.5 (63-77 Maple Avenue Holdings, LLC).
 - 7.1.1.1. Resolution directing Public Hearing on

PROPOSED AMENDMENT TO 2015 BUDGET

RE: PLAN REVIEW SERVICES –BUILDING DEPARTMENT

8. Communication dated June 29, 2015 from Luiz C. Aragon, Commissioner of Development, wherein he advises that the Department of Development recommends that City Council authorize an amendment to the 2015 Budget in the amount of \$30,000 for the procurement of professional services to augment their capacity to meet the increased demand for plan review, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 8.1. Ordinance amending Ordinance No. 208 of 2014, the Budget of the City of New Rochelle for 2015, relative to plan review services for the Building Department.

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

PROPOSED NOMINATION OF 157 DAVENPORT AVENUE ("SANS SOUCI") AS A LOCAL LANDMARK

9. Communication dated June 26, 2015 from Luiz C. Aragon, Commissioner of Development, wherein he recommends, following a request from the City Historian to the Historical and Landmarks Review Board, and the Board's Public Hearing on June 10, 2015, that 157 Davenport Avenue be nominated as a Local Landmark, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 9.1. Recommendation dated June 10, 2015, adopted by the Historical and Landmarks Review Board that the City Council designate 157 Davenport Avenue as an historic landmark.
 - 9.1.1. Resolution scheduling a Public Hearing relative to the nomination of 157 Davenport Avenue ("Sans Souci") as an historic landmark.

PROPOSED AMENDMENT TO THE 2015 BUDGET
RE: "ADVERTISING MASTER PLAN" – OFFICE OF DEVELOPMENT

10. Communication dated June 30, 2015 from Luiz C. Aragon, Commissioner of Development, and Kathy Gilwit, Marketing & Communications Manager, wherein they state the departments' recommendation that the City Manager be authorized to execute a contract with TRA Advisors, LLC, to define a feasible revenue-generating advertising program for the City, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 10.1. Ordinance authorizing the City Manager to enter into a contract in the amount of \$58,125 with TRA Advisors, LLC, relative to the Advertising Master Plan, amending Ordinance No. 207 of 2014, the Budget of the City of New Rochelle for 2015, and appropriating funds therefor.

DEPARTMENT OF DEVELOPMENT: (Cont'd.)

**WESTCHESTER COUNTY PLASTIC BAGS AND
POLYSTYRENE FOOD SERVICE CONTAINERS LEGISLATION**

11. Communication dated June 25, 2015 from Luiz C. Aragon, Commissioner of Development, wherein he advises that the Department of Development staff recommends that City Council adopt a resolution in support of the Westchester County proposed legislation restricting single use plastic bags and banning polystyrene food service containers in Westchester, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 11.1. Resolution in support of County-wide effort to ban single use plastic bags and expanded polystyrene containers.

LAW DEPARTMENT:

PROPOSED SETTLEMENT OF LAWSUIT(S)

12. None.

POLICE DEPARTMENT:

**PROPOSED AMENDMENT TO 2015 BUDGET
RE: JUSTICE ASSISTANCE GRANT**

13. Communication dated June 15, 2015, from Patrick J. Carroll, Police Commissioner, wherein he recommends that City Council approve an amendment to the 2015 Budget to accept Justice Assistance Grant monies in the amount of \$13,861 earmarked for technology enhancements, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 13.1. Ordinance accepting the U.S. Department of Justice, Justice Assistance Grant (JAG) in the amount of \$13,861, and amending Ordinance No. 207 of 2014, the Budget of the City of New Rochelle for 2015.

FIRE DEPARTMENT: (DEPARTMENT OF PUBLIC WORKS)

**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: DESIGNATION OF FIRE LANE – LAFAYETTE AVENUE**

14. Communication dated July 7, 2015 from Alexander Tergis, Commissioner of Public Works, wherein he recommends, based upon evaluation by the Traffic Engineer, that a fire lane be designated on a portion of Lafayette Avenue, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
 - 14.1. Ordinance amending Section 312-93 (Schedule XXII: Traffic Regulations on Private or Quasi-Public Property) of Chapter 312 (Vehicles and Traffic) of the Code of the City of New Rochelle (62 Lafayette Avenue, 1 Sixth Street – 4 Fifth Street).

PARKS AND RECREATION:

**PROPOSED ACCEPTANCE AND AWARD OF CONTRACT
RE: WATER SERVICE IMPROVEMENTS AT LINCOLN PARK**

15. Communication (to follow).
 - 15.1. Resolution (to follow).

PARKS AND RECREATION: (Cont'd.)

PROPOSED AMENDMENT TO 2015 BUDGET; AND
PROPOSED ACCEPTANCE AND AWARD OF CONTRACT
RE: FEMA-APPROVED PROJECT – REPAIRS TO DAVENPORT PARK SEAWALLS AND
RELATED WORK

16. Communication (to follow).

16.1. Resolution (to follow).

PROPOSED AMENDMENT TO 2015 BUDGET; AND
PROPOSED AUTHORIZATION TO ACCEPT A MATCHING FUND GRANT FROM THE
WESTCHESTER COMMUNITY FOUNDATION

17. Communication (to follow).

17.1. Ordinance (to follow).

YOUTH BUREAU:

**PROPOSED ACCEPTANCE OF GIFT DONATIONS
RE: NETWORK YOUTH LEADERSHIP PROGRAM JOB READINESS PROGRAM**

18. Communication dated July 1, 2015 from Kelly Johnson, Youth Bureau Director, wherein he recommends that the City Council authorize the acceptance of donations for subject program and that the 2015 Budget be amended accordingly, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 18.1. Ordinance amending Ordinance No. 207 of 2014, the Budget of the City of New Rochelle for 2015, relative to accepting gift donations for the Network Youth Leadership Youth Employment Program and appropriating funds therefor.

**PROPOSED ACCEPTANCE OF TANF GRANT AWARD FROM
WESTCHESTER-PUTNAM WORKFORCE INVESTMENT BOARD**

19. Communication dated July 6, 2015 from Kelly Johnson, Youth Bureau Director, wherein he recommends that the grant award in the amount of \$32,500 be accepted and that the 2015 Budget be amended accordingly, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 19.1. Ordinance accepting the Westchester-Putnam Workforce Investment Board Grant in the amount of \$32,500, amending Ordinance No. 207 of 2014, the Budget of the City of New Rochelle for 2015, and appropriating funds therefor (TANF Summer Youth Employment Program).

DEPARTMENT OF PUBLIC WORKS:

REVISED PAGE

**PROPOSED AWARD OF BID - INTERMODAL TRANSPORTATION CENTER (ITC)
PHASE II PARKING GARAGE REMEDIATION**

- 20. Communication dated July 9, 2015 from Alexander Tergis, Commissioner of Public Works, wherein he recommends award of contract to the low bidder, Schnell Contracting, a qualified contractor, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.**
- 20.1. Resolution accepting the lowest dollar bid of Schnell Contracting Services, LLC, relative to Phase II Remediation of the New Rochelle Transit Center Parking Garage (Project No. 09-597-P15B).**

THE FOLLOWING ITEM, NO. 21, TO BE DELETED

**PROPOSED AMENDMENT TO 2015 BUDGET
RE: 40 PELHAM ROAD RELOCATION**

- 21. Communication (to follow).**
- 21.1. Resolution (to follow).**

**PROPOSED AMENDMENT TO 2015 BUDGET
RE: UNFUNDED PROJECTS/ACCOUNT DEFICIENCIES**

- 22. Communication (to follow).**
- 22.1. Ordinance (to follow).**

DEPARTMENT OF PUBLIC WORKS: (Cont'd.)

**PROPOSED AMENDMENT TO 2015 BUDGET; DIRECTING PUBLIC HEARING
RE: HALCYON PARK 2015 COMMUNITY DEVELOPMENT BUDGET (CDBG) INCREASE
AND AMENDMENTS TO 2015 ACTION PLAN AND 2013-2017 CONSOLIDATED PLAN
(Intro. 7/14/15; Public Hearing)**

23. Communication dated July 7, 2015 from Alexander Tergis, Commissioner of Public Works, wherein he recommends that a Public Hearing be scheduled for the proposed amendments to the CDBG Plans and Budget in order to enable proper project management of the Halcyon Park Drainage Project, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 23.1. Ordinance (to follow).
- 23.1.1. Resolution directing Public Hearing (to follow).

CITY CLERK:

**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: GARAGE, TAG, AND ESTATE SALES**

24. Communication dated June 30, 2015, from Bennie F. Giles, III, City Clerk, wherein he recommends that certain regulations be established for conducting garage, tag and estate sales and that the Code of the City of New Rochelle be amended accordingly, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.
- 24.1. Ordinance amending Chapter 160, Garage Sales, of the Code of the City of New Rochelle.
- 24.1.1. Ordinance amending Section 133-1, Enumeration of Fees, of Chapter 133, Fees, of the Code of the City of New Rochelle (Garage Sales).

CITY MANAGER:

REVISED PAGE

**PROPOSED AGREEMENT WITH COUNTY OF WESTCHESTER
RE: SEWER SYSTEM EVALUATION AND REPAIRS**

- 25. Communication dated July 9, 2015 from Charles B. Strome, III, City Manager, wherein he recommends that he be authorized to execute a revised agreement with the County of Westchester regarding sewer system evaluation and repairs, forwarded with appropriate legislation for consideration.**
- 25.1. Resolution approving the agreement between the County of Westchester and the City of New Rochelle for sewer system evaluation and repairs.**

CITY COUNCIL:

**SUSTAINABLE WESTCHESTER COMMUNITY CHOICE AGGREGATION
(CCA) PROGRAM**

- 26. Communication dated June 25, 2015 from Luiz C. Aragon, Commissioner of Development, wherein he recommends that an agreement with Sustainable Westchester, Inc., a not-for profit organization, be authorized to permit the City's participation in a Sustainable Westchester Pilot Program to procure energy supply from energy service companies (ESCO) for residents and business consumers, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.**
- 26.1. Resolution affirming that the City of New Rochelle is authorized to enter into the Community Choice Aggregation ("CCA") Program through Sustainable Westchester, Inc., and authorizing the City Manager to execute any and all documents relative to the Program.
Sponsored by Mayor Bramson**

CITY COUNCIL: (Cont'd.)

**PROPOSED APPOINTMENTS TO THE TELECOMMUNICATIONS AND
CABLE ADVISORY COMMITTEE**

27. Resolution appointing members to the Telecommunications & Cable Advisory Committee.

**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE
RE: ROCKLAND PLACE PARKING**

28. Ordinance amending Section 133-1, Enumeration of Fees, of Chapter 133, Fees, of the Code of the City of New Rochelle regarding certain City administered fees.
Sponsored by Mayor Bramson and Council Member Rice

CITY COUNCIL: (Cont'd.)

REVISED PAGE

**PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE;
AND APPROVAL -
RE: SENIOR CITIZEN PARKING 10 PER CENT DISCOUNT PROGRAM**

29. Communication dated June 26, 2015 from Luiz C. Aragon, Commissioner of Development, wherein he recommends that City Council approve legislation to implement a Senior Citizen Parking 10 Per Cent Discount Program starting with calendar year 2016, forwarded with approval of Charles B. Strome, III, City Manager, noted thereon, and appropriate legislation for consideration.

**29.1. Ordinance approving a 10 per cent Senior Citizen Parking Permit discount for residents commencing January 1, 2016 and amending Section 312-62, Parking Lots, and Section 312-64, Municipal Parking Garage, of Chapter 312, Vehicles and Traffic, of the Code of the City of New Rochelle.
Sponsored by Council Member Trangucci**

SUPPLEMENTAL ITEM(S):

VARIOUS PUBLIC WORKS PROJECTS

30. Communication (to follow).

30.1. Ordinance (to follow).

UNFINISHED BUSINESS

NEW BUSINESS

JULY, 2015

Regular Legislative Meeting: Tuesday, July 21, 2015, at 7:00 P. M.

AUGUST, 2015

Special Meeting (to be scheduled)

SEPTEMBER, 2015

Committee of the Whole Session, Tuesday, September 8, 2015, at 3:45 P. M.

Regular Legislative Meeting, *Wednesday*, September 16, 2015, at 7:00 P. M.

DISCUSSION ITEM(S):

REQUESTED BY STAFF -

- a. RDRXR Timeline Update
Requested by Commissioner of Development
- b. Special Meeting Date – Month of August
- c. Motion To Enter Into Executive Session
Re: Real Estate; Personnel
Requested by City Manager