

Carried.

May 13, 2003

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

Dear Council Members:

As of January 6, 2003, there was a vacancy in the office of Part-Time City Court Judge due to the expiration of the term of the Honorable Roseanna Washington. I appointed a judicial screening committee (chaired by Robert Feder, Esq.) to review the qualifications of candidates for the position and to make recommendations to the Mayor and the Common Council. In a recent communication, the committee presented its adopted report, a copy of which was forwarded to each member of the Council. The report of the committee and its recommendations are based upon personal interviews and a review of the qualifications of all candidates who appeared before the committee.

At the request of the Common Council, I recommend that the Council consider this matter for action at the May 14, 2003 meeting.

Joseph Delfino
Mayor

Mr. Boykin moved to nominate Brian Hansbury as City Court Judge - Part Time.

Mr. Roach seconded the motion.

The Mayor asked if there were any other nominations.

Hearing no other nominations, Mr. Boykin moved to close the nominations.

Mr. Roach seconded the motion.

Carried.

The Mayor declared the nominations closed and asked for a roll call vote on the nomination of Brian Hansbury as City Court Judge - Part Time.

Approved by the following roll call vote: Mr. Boykin, Mr. Greer, Mr. Hockley, Mr. King, Mrs. Malmud, Mr. Roach, and the Mayor. 7 - 0.

Mayor Delfino administered the Oath of Office to Hon. Brian Hansbury.

The Special Meeting continued with a discussion of the 2003-2004 Tax Budget of the City of White Plains - Decision Night, and the entertainment of a motion to enter into executive session to discuss matters relating to employment history of a particular person or persons.

On motion of Mr. Boykin, seconded and c
adjourned the meeting.

Anne M
Deputy

artery into the downtown area. His skill and professionalism are clearly evident as he keeps the traffic flowing without any major backups. Many residents of the Battle Hill section have voiced their pleasure with PSA Prather for his skill in helping motorists off Battle Hill in the morning rush hour. Carl also patrols the area of the train station and Ferris Avenue for taxi enforcement as well as parking enforcement. His dedication, coupled with his enthusiasm, make him a worthy candidate for this recognition.

Carl, I am so pleased to congratulate you tonight with this Certificate of Appreciation, along with two tickets to a movie and dinner, with a contribution from Sam's of Gedney Way Restaurant.

The Mayor announced an award received by the City for Certificate of Achievement for Excellence in Financial Reporting in relation to the preparation of the CAFRA and asked Commissioner of Finance Gina Harwood to accept.

The Mayor introduced the newly appointed Part Time City Court Judge Brian Hansbury.

Mr. Boykin asked unanimous consent to add Item 1a to the evenings agenda.

Unanimous consent granted.

Mr. Boykin made the motion.

Mrs. Malmud seconded the motion.

Adopted by the following roll call vote: Mr. Boykin, Mr. Greer, Mr. Hockley, Mr. King, Mrs. Malmud, Mr. Roach, and the Mayor. 7 - 0.

Mr. Boykin asked unanimous consent to move the consent agenda.

Unanimous consent granted.

Mr. Boykin moved the consent agenda.

Mrs. Malmud seconded the motion.

Adopted by the following roll call vote: Mr. Boykin, Mr. Greer, Mr. Hockley, Mr. King, Mrs. Malmud, Mr. Roach, and the Mayor. 7 - 0.

Mr. Greer offered the following ordinance and moved its adoption:

AN ORDINANCE AMENDING SECTION 2-6-1(a) OF THE MUNICIPAL CODE IN RELATION TO TRAFFIC ENFORCEMENT AND RECREATION FACILITIES.

The Common Council of the City of White Plains adopted the following:

Section 1. Section 2-6-1(a) of the Municipal Code is amended to read as follows:

(a) The White Plains Department of Public Works, an extensive publicly financed program organized and operated to serve the needs of the City, operates [and maintains] city parks and recreation facilities.

§2. This ordinance shall take effect on the date of its adoption.

Mr. Boykin seconded the motion.

Adopted by the following roll call vote: Mr. King, Mrs. Malmud, Mr. Roach, and the Mayor. 7 - 0.

Communication received from Cor

Mr. King moved that it be filed as a communication.

Mr. Hockley seconded the motion.

Carried.

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

Dear Mayor and Council Members:

Submitted herewith is an ordinance amending the Municipal Code in relation to the properties located at 105-115 Ithaca Avenue, White Plains, New York.

I have reviewed the proposed settlement with independent appraisals prepared at the request of the City. In my opinion that the settlements at the locations of the properties involved, the amounts to be refunded, are set forth in the attached settlement agreement.

Dated: May 28, 2003
(For the Common Council Meeting of June 2, 2003)

Mr. King asked unanimous consent to authorize the settlement of certain

Parking Enforcement Officer, he . He immediately notified the Police When the mother returned, it was hicle. Their safety was protected by

tonight with this Certificate of rie and dinner, with a contribution

o the agenda Item 7a, a communi- quest by North Street Community i, and offered the consent agenda of sked unanimous consent to move the ordinances, moved adoption of mmunications and refer those that , boards and commissions, and file

Bernstein, Mr. Boykin, Mr. Hockley, Mayor - 7 - 0.

read in full upon the minutes, and

f The City of White Plains

he City of White Plains, I hereby office of City Clerk and ask the val of, this nomination.

f, and was appointed Deputy City herson was appointed Acting City at position since that date.

tions for this position and it would Common Council to confirm this

Delfino

Communication received from Corporation Counsel.

Mr. Bernstein moved that it/they be filed and spread in full upon the minutes.

Mr. Hockley seconded the motion.

Carried.

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

Dear Mayor and Council Members:

In 2006, by enacting Chapter 493 of the Laws of 2006, the New York State Legislature amended the Uniform City Court Act to, *inter alia*, establish a third, full-time City Court Judge for White Plains. In so doing, the State Legislature also abolished one of the two existing part-time City Court judgeships for White Plains. The State legislation explicitly provides that each person serving in a judgeship abolished by this law shall continue in service in the full-time judgeship that replaces such abolished judgeship for the remainder of the term of office to which he or she was selected in the abolished judgeship. The State law provides that the part-time judgeship to be abolished in White Plains was the office which was filled by appointment in May 2003.

Thus, under this State law, the present part-time City Court judgeship held by the Hon. Brian Hansbury, who was appointed by the Common Council on May 14, 2003, for a six (6) year term, will be abolished effective April 1, 2007, therefore leaving only one part-time City Court judge position. However, Judge Hansbury, effective April 1, 2007, will serve as a full-time City Court judge under this law until the expiration of the remainder of his six (6) year term as a part-time City Court Judge, which would have been May 14, 2009.

The proposed local law, prepared for your consideration, is designed solely to reflect the changes made by the State law. If adopted, the Charter would then conform with the provisions of the controlling statute.

Accordingly, submitted herewith for your consideration is a Local Law that would implement these changes and a resolution scheduling a public hearing for March 5, 2007, to discuss this recommended law which would become effective April 1, 2007.

Edward P. Dunphy
Corporation Counsel

Dated: January 29, 2007
(For the Common Council Meeting of
February 5, 2007)

Mr. Bernstein offered a Local Law entitled, "Local Law Introductory No. 1 of 2007. A Local Law amending Sections 9, 9-A and 10 of the Charter of the City of White Plains relating to the number of Full-Time and Part-Time City Court Judges, to conform with the provisions of Section 2104 of the New York State Uniform City Court Act."

Mr. Bernstein offered the following resolution and moved its adoption:

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS SCHEDULING A PUBLIC HEARING FOR MARCH 5, 2007 IN RELATION TO A LOCAL LAW AMENDING SECTIONS 9, 9-A AND 10 OF THE CHARTER OF THE CITY OF WHITE PLAINS RELATING TO THE NUMBER OF FULL-TIME AND PART-TIME CITY COURT JUDGES TO CONFORM WITH THE PROVISIONS OF SECTION 2104 OF THE NEW YORK STATE UNIFORM CITY COURT ACT.

RESOLVED, that a public hearing will be held on March 5, 2007, at 7:30 p.m. in the Common Council Chamber, Municipal Building, 255 Main Street, White Plains, New York, concerning a proposed Local Law entitled, "A Local Law Amending Sections 9, 9-a and 10 of the Charter of the City of White Plains Relating to the Number of Full-Time and Part-Time City Court Judges to Conform with the Provisions of Section 2104 of the New York State Uniform City Court Act"; and be it further

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

Mr. Hockley seconded the motion.

Carried.

The Mayor announced two public hearings, the first in relation to Urban Renewal Plan Modification No. 1 for the Bank Street Urban Renewal Project, Project No. WPUR-11 and the second in relation to Urban Renewal Plan Modification No. 48 for the Central Renewal Project, Project No. NY R-37.

Mr. Hockley moved that the hearings be adjourned to March 5, 2007.

Mr. Boykin seconded the motion.

Carried.

The Mayor announced a public hearing in relation to an amendment to the Zoning Ordinance of the City of White Plains as amended, submitted by North Street Community, LLC, with respect to creating a new Zoning District to be designated "Senior Residential Development District" and amending the Zoning Map of the City of White Plains to map this new district on the property known as Section-Block-Lot 131-06.1-1.1.

The applicant submitted a letter to the Clerk requesting that this public hearing be withdrawn.

Communication received from the City Clerk.

Mr. Boykin moved that it/they be filed and spread in full upon the minutes.

Mrs. Malmud seconded the motion.

Carried.

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL:

Transmitted herewith is a communication from North Street Community LLC, regarding a proposed Zoning Amendment related public hearing. On February 5, 2007, the amendment was referred out and subsequently scheduled for March 5, 2007. At this time the original application has been withdrawn and the applicant is requesting that the proposed revised amendment be scheduled for a public hearing on March 5, 2007.

This is being submitted for your information.

Sim
Ann
Act

DATED: February 5, 2007
Common Council Meeting

Honorable Joseph M. Delfino and
Members of the Common Council
City of White Plains
255 Main Street
White Plains, New York 10601

RE: North Street Community, LLC

Dear Mayor Delfino and Council Members:

By letter dated December 21, 2006, regarding the proposed Zoning Amendment originating from North Street Community, LLC be adjourned to the February 5, 2007 meeting. At that time we also submitted a revision to the amendment. A suggestion that if it were favorably received by the Council, it could be substituted for the original and considered at a Public Hearing on March 5, 2007.

At its meeting of January 16, 2007, regarding the scheduling of a Public Hearing on the proposed Zoning Amendment on January 25, 2007, the Council has scheduled a Public Hearing on the revised proposed Zoning Amendment on February 5, 2007. The Public Hearing has been duly advertised.

Accordingly, we respectfully request that the Zoning Amendment scheduled for February 5, 2007, be scheduled for a Public Hearing proceed with respect to the proposed amendment.

Thank you for your kind consideration.

signed to the Tax Collection Area. She and direct inquiries. Denise handles the courteous and helpful in answering taxpayer requests to easily communicate with others has been by the public to the Commissioner of Health and Human Services. She is supported by her co-workers who view her as a role model of her. If someone is out for just a few days, she is the person to fill in and get the job done.

Presented to you tonight with this Certificate of Appreciation for a movie and dinner, with a contribution

Added to the evenings agenda Item 8a which was discussed in relation to the proposed Zoning Ordinance, to add as part of Item #68, a Communication from the Public Safety providing comments on agenda Items 64a, a Communication from the Council President transmitting a message in relation to the resolution urging the relocation of the Court Street to another location in the

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COMMON COUNCIL:

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Re-appointment:

Hon. Benjamin Boykin, Chmn
 Patrick Austin
 Hon. Arnold Bernstein
 Anthony Cucciarre
 Hon. Larry Delgado
 Joseph Lenchner
 Eleanor McDonald
 Theodore Peluso
 Timothy Sheehan

Term Expires:

12/31/07
 12/31/07
 12/31/07
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 12/31/07

Sincerely,
 Joseph M. Delfino
 Mayor

DATED: February 22, 2007 for the
 March 5, 2007 Common Council Agenda

Communication received from Council President.

Mr. Power moved that it/they be filed and spread in full upon the minutes.

Mr. Bernstein seconded the motion.

Carried.

For March 5, 2007 Common Council Agenda

To the Honorable Mayor and Members of the Common Council:

Conservation Board terms of Andrew Berger, J. Roger Carlson, and Robert Roston expire in March 2007. I hereby request their re-appointments for another term of two years.

Very truly yours,
 Rita Z. Malmud,
 Council President

The Mayor announced a public hearing in relation to proposed Local Law Introductory No. 1 of 2007 to amend Section 9, 9-A and 10 of the Charter of the City of White Plains regarding Full and Part Time City Court Judges.

Mr. Bernstein moved that the hearing be opened.

Mr. Hockley seconded the motion.

Carried.

The Mayor declared the hearing opened and asked if anyone wished to be heard. The Mayor granted the privilege of the floor to Corporation Counsel Edward Dunphy.

Mr. Bernstein moved that the hearing be closed.

Mr. Hockley seconded the motion.

Carried.

Mr. Bernstein offered the following Local Law:

LOCAL LAW INTRODUCTORY NO. 1 OF 2007

A LOCAL LAW AMENDING SECTIONS 9, 9-A, AND 10 OF THE CHARTER OF THE CITY OF WHITE PLAINS RELATING TO THE NUMBER OF FULL-TIME AND PART-TIME CITY COURT JUDGES TO CONFORM WITH THE PROVISIONS OF SECTION 2104 OF THE NEW YORK STATE UNIFORM CITY COURT ACT.

Be it enacted by the Common Council of the City of White Plains as follows:

Section 1. Section nine of chapter three hundred fifty-six of the laws of nineteen hundred fifteen, entitled "An act to incorporate the City of White Plains", constituting the Charter of said City, as last amended by section one of local law number one of the City of White Plains for the year two thousand and three, is hereby amended to read as follows:

Section 9. Term of office.

The term of office of each elective officer, unless elected to fill a vacancy then existing, shall commence on the first day of January next succeeding his or her election; the term of office of each appointive officer shall commence on the day succeeding his or her appointment unless a different date is specified in the certificate of appointment. The term of office of the mayor and the council shall be four years. The term of office of the [two] three full-time city court judges shall be for a period of ten years, except that [the term of the full-time city court judge in office upon the effective date of this act shall expire on the thirty-first day of December, nineteen hundred eight-two] in accordance with sections eight through ten of chapter four hundred ninety-three of the laws of two thousand and six, the term of the person serving in the part-time judgeship abolished by said act shall continue in service in the newly created full-time judgeship for the remainder of the term of office to which he was selected in the abolished judgeship, until the fourteenth day of May two thousand and nine. The term of office of the [two] one part-time city court [judges] judge shall be six years [except that terms of the associate city court judges in office upon the effective date of this act shall continue until the thirty-first day of December, nineteen hundred eighty-two]. All other city officers shall be appointed without term and shall hold office at the will and pleasure of the common council, except as herein otherwise provided.

Section 2. Section nine-a of chapter three hundred fifty-six of the laws of nineteen hundred fifteen, entitled "An act to incorporate the City of White Plains", constituting the Charter of said City, as last amended by section two of local law number one of the City of White Plains for the year two thousand and three, is hereby amended to read as follows:

Section 9-a. Appointment of [two] three full-time city court judges and [two] one part-time city court judge.

The terms of the city court judges and the part-time city court judges in office upon the effective date of this act are continued until the thirty-first day of December, nineteen hundred eighty-two. In the month of January, nineteen hundred and eighty-three, and in such month or months every ten years thereafter, or upon the vacancy of such office, the common council shall appoint

[two] three full-time city court judges for a term of such appointment. In the month of January and in such month or months every six years such office, the common council shall appoint [judges] judge for a term expiring six years from appointment by the common council at any time. The term of office of such city court judge shall be for a full ten year term if such vacancy is filled by a full-time city court judge, or a full six year term if such vacancy is filled by a part-time city court judge.

The full-time city court judges shall give preference to the practice of law, act as mediators in any action or proceeding or matriculate in any profession or business which interferes with the practice of law as a full-time city court judge.

Section 3. Section ten of chapter three hundred and nineteen hundred fifteen, entitled "An act to incorporate the City of White Plains", constituting the Charter of said City, as last amended by section one of local law number one of the City of White Plains for the year two thousand and three, is hereby amended to read as follows:

Section 10. Eligibility.

No person shall be elected to a city office or her election he or she is a resident elector of the city for at least two years prior to his or her election. An officer shall cease to be a resident of said city if he or she is absent from the city for more than six months.

A corporation counsel hereafter chosen shall be admitted to practice in this state and shall be a full-time city court judge and [two] one part-time city court judge. Hereafter appointed shall be attorneys-at-law who have practiced in this state for at least five years. A person shall at the same time hold more than one office.

Section 4. This local law shall take effect on the first day of January, two thousand and eight.

Mr. Hockley seconded the motion.

Adopted by the following roll call vote:
Mrs. Malmud, Mr. Power, Mr. Roach and Mr. Hockley.

The Mayor announced two public hearings on the Renewal Plan Modification No. 1 for Project No. WPUR-11; and the second hearing on the Renewal Plan Modification No. 48 for the Central Railroad.

Mr. Hockley moved that the hearing be continued to the next meeting.

Mr. Boykin seconded the motion.

Carried.

Law:
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[two] three full-time city court judges for a term expiring ten years from the date of such appointment. In the month of January, nineteen hundred eighty-three, and in such month or months every six years thereafter, or upon the vacancy of such office, the common council shall appoint [two] one part-time city court [judges] judge for a term expiring six years from the date of such appointment. An appointment by the common council at any time to fill a vacancy in such offices shall be for a full ten year term if such vacancy occurs in the office of a full-time city court judge, or a full six year term if the vacancy occurs in the office of part-time city court judge.

The full-time city court judges shall give their whole time to their duties and shall not engage in the practice of law, act as an arbitrator, referee or compensated mediator in any action or proceeding or matter, engage in the conduct of any other profession or business which interferes with the performance of their duties as city court judges.

Section 3. Section ten of chapter three hundred fifty-six of the laws of nineteen hundred fifteen, entitled "An act to incorporate the City of White Plains", constituting the Charter of said City, as last amended by section three of local law number one of the City of White Plains for the year two thousand and three, is hereby amended to read as follows:

Section 10. Eligibility.

No person shall be elected to a city office in said city unless at the time of his or her election he or she is a resident elector of said city and shall have resided in the city for at least two years prior to his or her election. Whenever any elective officer shall cease to be a resident of said city his or her office shall thereby become vacant.

A corporation counsel hereafter chosen shall be an attorney-at-law who has been admitted to practice in this state for at least five years. The [two] three full-time city court judges and [two] one part-time city court [judges] judge hereafter appointed shall be attorneys-at-law who shall have been admitted to practice in this state for at least five years and shall be a resident of the city. No person shall at the same time hold more than one salaried city office.

Section 4. This local law shall take effect April 1, 2007.

Mr. Hockley seconded the motion.

Adopted by the following roll call vote: Mr. Bernstein, Mr. Boykin, Mr. Hockley, Mrs. Malmud, Mr. Power, Mr. Roach and the Mayor - 7 - 0.

The Mayor announced two public hearings: the first, in relation to Urban Renewal Plan Modification No. 1 for the Bank Street Urban Renewal Project, Project No. WPUR-11; and the second in relation to Urban Renewal Plan Modification No. 48 for the Central Renewal Project, Project No. NY R-37.

Mr. Hockley moved that the hearings be adjourned to April 4, 2007.

Mr. Boykin seconded the motion.

Carried.