

**BOARD OF ESTIMATE & CONTRACT MINUTES
TUESDAY, JANUARY 3, 2023, 4:00 P.M.
MAYOR'S CONFERENCE ROOM – 1st FLOOR
CITY HALL, MOUNT VERNON, NEW YORK
& VIA FACEBOOK.COM/MOUNTVERNONNY**

Call to Order: At **4:12 PM** by Chairwoman Mayor Shawyn Patterson-Howard

Board Members Present: Comptroller Darren Morton, City Council President Danielle Browne and Chairwoman, Mayor Shawyn Patterson-Howard (we have a quorum).

Others: Chief Kristen Reed, Corporation Counsel Brian Johnson, City Clerk Tanesia M. Walters, Deputy City Clerk Donna Jackson, Assistant Comptroller Condell Hamilton

Absent: None

MEETING NOTICE: Clerk Walters read the meeting notice at 4:10 pm. Noticed in the Journal News. For Special Meeting notices we have to give a 6-hour notice, which the City has complied with.

ROLL CALL: Roll Call and reading of agenda items administered by City Clerk Tanesia M. Walters

NEW BUSINESS:

RESOLUTIONS APPROVING ORDINANCES

1. Granting permission for payment to Everardo Goday Landscaping in the amount of \$10,000.00 for the removal of debris from a vacant City-owned property (\$10,000.00 - Funding for this request is available through the Expense on City Owned Property: Expense on Property Acquired for Taxes - A1364.466).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: Comptroller noted the antiquated charter language necessitates this coming before the BOE&C. Counsel Johnson noted the Building Commissioner conducted an assessment; while the property needs to be stabilized it doesn't need to be torn down.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

2. Granting permission to transfer funds within the Department of management Services (\$79,815.00 from A1680.101, IT Specialist, Public Safety - unused salary line to A1680.203 - Equipment).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: None

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

3. Granting retroactive permission for the Department of Management Services to purchase 150 desktops (\$123,322.50 are available in Budget Code A1680.203, Equipment).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: Comptroller requested an inventory of all of these desktops and their serial numbers so the information is in the Comptroller's office. The City needs an annual review of all assets. He will have Deputy Comptroller reach out to Dr. Uzamere for this information.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

4. Granting retroactive authorization for the Department of Management Services to purchase additional VX Rail Servers (\$35,000.00 available in Budget Code A1680.486 (Technology Upgrades - leases of servers and shared systems).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: none

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

5. Granting retroactive permission for the Department of Management Services to purchase 100 Multimedia Networking Monitors (\$34,828.00 available in Budget Code H1680.203.C927 ARP, Technology Digital Services).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: Comptroller noted this matter will need the same treatment as Item #3 with an inventory of all devices.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

6. Granting retroactive permission for the Department of Management Services to purchase firewalls (\$22,055.00 available in Budget Code A1680.405, Outside Contractors).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: Comptroller noted this is just a summation of the last few items. All of these items were done retroactively, and the purchase order procedure was not in place. There was a reconciliation of budget, moving items to the appropriate accounts, and some of this was eligible for ARPA. Council President Browne noted Council had conversations around ensuring this (retroactive purchase approval) doesn't happen in the future.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

7. An Ordinance declaring imminent danger and requesting urgent demolition of unsafe building located at 404 South First Avenue (\$75,000.00 - available through a grant provided to the City by the American Rescue Plan Act) (Budget Code: A3620.405).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: Comptroller inquired if this is a city owned property. Counsel Johnson affirmed. Comptroller asked if there is a procedure to add these properties onto a Zombie List. Counsel Johnson explained the Zombie home committee process. In the interest of public safety, the City identified three buildings on this agenda that will be brought down. Counsel Johnson will speak with the Comptroller because this cost borne by the city will need to be addressed by the property owners.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

8. Granting retroactive permission for travel and reimbursement in the Department of Public Works - (\$864.12 from Account Code A1640.434)

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: Comptroller noted this is retroactive; Chair explained this was a trip taken by a staff member during COVID to pick up two trucks on two trips. Comptroller asked where the trucks were located. Counsel Johnson noted DPW commissioner prior to Morton's arrival had no access to the Comptroller's office/staff. Comptroller asked Assistant Comptroller Condell Hamilton if this was one of the vouchers submitted with the DPW arrears. AC Hamilton affirmed. The Chair explained that the DPW Garage Director took the trip. Comptroller noted it should not have taken 10 months for it to be submitted to his office.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

9. Declaring an emergency situation at Firehouse No. 3 located at 50 West 3rd Street and granting authorization (\$6,830.00 from Account Code A1620.203 C930).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: The Chair noted the boiler was recently replaced. A part of the HVAC system then failed. It is a separate part from the new boiler. Assistant Comptroller Hamilton noted the budget code should reflect H1620.203.C930. Counsel Johnson noted he will correct it on the original ordinance by edit and signature.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

10. Granting permission for the Mayor and two (2) staffers to attend the 91st Annual Winter Meeting of the United States Conference of Mayors from January 17 - January 20, 2023 - (the cost of travel and hotel fee will be expensed from Budget A1210.402, Travel, \$3,000.00 and the total cost of this conference will be expensed from Budget Code A1210.403, Membership and Dues, \$1,500.00).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: The Chair noted that one of the conference registration fees was comped because of the leadership role and an award we will receive. Comptroller noted that all other expenses approved up to this one are for 2022, this is the first for 2023 so far.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

11. An ordinance declaring imminent danger and requesting urgent demolition of unsafe building located at 119 South First Avenue (\$75,000.00 - available through a grant provided to the City by the American Rescue Plan Act)

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: None

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

12. Granting permission to transfer funds within the Youth Bureau before the end of the year (\$500.00 from Budget Code A7311.203, D.B.B. Equipment to Budget Code A7311.407 (Leasing, Printing and Copies).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: None

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

13. Granting permission to transfer funds within the Department of Human Resources (\$10,000.00 from A1432.101, Salaries & Wages, to A1432.104, Part Time Salaries; and \$100.00 from A1432.417, Education & Training to A1432.447, Materials & Supplies).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: None

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

14. Authorizing the Mayor to enter into an agreement with the Westchester County Office of Senior Programs and Services under the State Transportation Program (\$7,820.00 - Funds for the State Transportation program are to be deposited in revenue code A4803. 1, Westchester County Nutrition to provide for an appropriation in budget Code A7020.402 Transportation expense).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: None

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

15. Amending Ordinance No. 6 adopted on November 22, 2022, entitled "AN ORDINANCE REQUESTING PERMISSION FOR THE DEPARTMENT OF RECREATION TO SPONSOR THE ANNUAL THREE KINGS DAY CELEBRATION" (Funding for this event will be charged to Budget code: A7620.457 not to exceed 2,000.00 (for supplies and other expenses) and Budget Code A7310.104 not to exceed \$1,000.00 (for staffing to monitor this event). The cost to the City for this event, includes minimal staff to monitor this event and supplies (i.e., costumes, food, and giveaways).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: Comptroller asked if we know exactly when these expenses occurred? The Chair noted 3 Kings Day is this Friday, January 6th. Comptroller noted he will look to see if the expenses are split between 2022 and 2023.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

16. **HELD FROM THE FLOOR.** Granting permission to transfer funds within the Fire Department budget lines - (\$538,162.77 from various accounts to A3410.110, Overtime Pay and \$21,000.00 from A3410.499, Uniform & Protective Equipment to A3410.415, Heating Fuel).

Moved by Morton, Seconded by Browne

On the Question: Comptroller asked if we have enough money in the line to transfer? Assistant Comptroller Hamilton noted the salary line is negative. Comptroller noted it is negative because of the retros that were paid out in December 2022. The 3410.499 budget line is short \$2000. Comptroller asked for this to be held from the floor. Fire Commissioner made the transfer based on the financial report she had, unaware of the retro payment. Comptroller will manage it when he does the entire reconciliation for the year. **HELD FROM THE FLOOR**

17. Declaring imminent danger and requesting urgent demolition of unsafe building located at 151 Union Avenue (\$100,000.00 - available through a grant provided to the City by the American Rescue Plan Act; Budget Code A3620.458ARP, for the use of emergency demolition).

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: Comptroller asked for clarification and if these are all non-city properties? Counsel Johnson noted yes. These are the properties from a structural standpoint that are the most urgent. The Chair noted this property has been on fire three times. It is next to a day care center. We will – like the others – assess a lien against these properties. Counsel Johnson noted the key is to apply pressure to receive the monies. The Comptroller noted one item was ARP. Comptroller further noted when we receive funds back, that they are reimbursed back into that ARPA line. Browne noted that after 2026, perhaps we can keep this funding in a separate revenue line.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

18. Amending the Ordinance Authorizing the Mayor to Enter into a Contract with Axon Enterprises for the purchase of thirty-three (33) Taser 7 Conducted Energy Weapons in the amount of \$248,054.40. (Funding is available under the A3120.451 **ARP** Training budget line)

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: The Chair requested an edit from the floor to strike the “ARP” it is just a general budget line. Comptroller noted this came before this body prior.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

19. Amending Ordinance No. 21 adopted on October 12, 2022, entitled "AN ORDINANCE AUTHORIZING THE COMPTROLLER TO TRANSFER FUNDS TO COVER RETRO SALARY PAYMENTS FOR THE LOCAL 456 CONTRACTS FOR THE PERIOD 2013-2017."

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: Comptroller clarified that several months ago there was a request to the City Council to transfer funds to cover “local 456” changes in salary. When the listing of codes was released there was a subcode that supervisors are being paid out of so we corrected the legislation to include those particular lines. We did not increase the amount, just reallocated.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

20. Authorizing the Mayor to Approve the Annual Renewal Agreement with Dell Technologies for the Microsoft 0365 Licenses

Moved by Councilwoman Browne, Seconded by Comptroller Morton

On the Question: The Chair noted that the legislation says “will not exceed...” Council President Browne noted this is for our email use and Comptroller asked if Chief Reed researched to see if this is eligible for ARPA. It was confirmed.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

FURTHER BUSINESS:

Chairwoman Patterson-Howard asked if there was new business. The Comptroller noted a need for a special BOE&C meeting for the salary resolutions. The goal of Comptroller’s office is to ensure this is completed in the first quarter 2023. Once salaries are reconciled, the only delay will be if there is any salary in the budget that is OVER the amount that a person is to be paid, then that will need to come to council to ask for that change. If the salary is beneath the amount, then that is okay. Comptroller is aiming to complete this prior to January 13th payroll. The City has paid out the 1st payment for the Local 456 in December 2022, and also paid out the 1st payment for MV Fire and their retro payments. We paid out the entire amount due to the retirees of MV Fire and those that had separated and departed, with the exclusion of those out on 207A, which was worked on last week. The goal is for the second payments to be completed by the end of the 1st quarter and we will be on schedule for 2nd and 3rd payments in June and December 2023. Millions were paid in December 2022. We had 3 pay periods, including longevity, holiday and sick pay. The Chair asked for a motion to adjourn. Council President Browne moved to adjourn, Comptroller Morton Seconded.

Passed by the following vote:

Ayes: Comptroller Morton, Council President Browne, Mayor Patterson Howard

Nays: None

Absent: None

Meeting ended at 4:57 pm

Submitted,
Donna M. Jackson
Deputy City Clerk