



**BOARD OF ESTIMATE & CONTRACT
MEETING MINUTES
TUESDAY, FEBRUARY 14, 2023
4:00 P.M.**

**MAYOR'S CONFERENCE ROOM – 1ST FLOOR
CITY HALL, MOUNT VERNON, NEW YORK
&
VIA FACEBOOK.COM/MOUNTVERNONNY**

& VIA FACEBOOK <https://www.facebook.com/mountvernonny/videos/682649193303158>

Call to Order: At 4:11 PM by Chairwoman Mayor Shawyn Patterson-Howard

Roll Call: Roll Call and reading of agenda items administered by City Clerk Tanesia M. Walters. Noticed in the Journal News.

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

Absent: None

Others: Chief of Staff Kristen Reed, Corporation Counsel Brian Johnson, City Clerk Tanesia M. Walters, Deputy City Clerk Donna Jackson, Assistant Comptroller Condell Hamilton, Renata Johnson (Office of the City Clerk), Assistant Corporation Counsel Alyssa Gillespie, Commissioner Damani Bush, Dr. Helen Uzamere, Commissioner of Management Services, Curtis Woods, DPW, representatives of public for BID opening.

OPENING OF BID FOR DEPARTMENT OF PUBLIC WORKS

- 1. RFP: DPW Outfall 24 Sewer System Cleaning and Inspection:** Clerk Walters noted a public notice was published on Jan 11, 2023 and Jan 13, 2023 in the Journal News and on BidNet Direct. On BidNet Direct there were 38 downloads but no submissions via BidNet. The Office of the City Clerk received three (3) bids by the RFP deadline. Corporation Counsel Brian G. Johnson administered the opening of the bids:
 - a. Earth Repair, \$2,906,870.00. No Bid Bond because it is an RFP.
 - b. National Watermain Cleaning Company. \$1,661,800.00. No Bid Bond because it is an RFP.
 - c. Arold Construction Corp., Inc. \$2,777,500. No Bid Bond because it is an RFP.That concludes the opening of the RFP for Outfall 24 Sewer System Cleaning and Inspection.
- 2. RFP: DPW Sewer System Rehabilitation Phase 1 122022-2** Clerk Walters noted a public notice was published on Jan 11, 2023 and Jan 13, 2023 in the Journal News and on BidNet Direct. There were 70 downloads, but no bids were received via BidNet. The Office of the City Clerk received three (3) bids by the RFP deadline. Corporation Counsel Brian G. Johnson administered the opening of the bids.

- a. Entech Infrastructure LLC. \$9,137,900. And there is a Bid Bond for 5% of that amount.
- b. National Watermain Cleaning Company. \$6,923,630. There is a bid bond for 5% of that amount.
- c. Spiniello Companies. \$7,330,000. There is a 5% Bid Bond.

Bid opening Concluded 4:19PM

ADMINISTRATION OF THE AGENDA

RESOLUTIONS APPROVING ORDINANCES

1. **HELD FROM THE FLOOR.** Amending Ordinance No. 3 adopted on December 8, 2021, entitled “AN ORDINANCE AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PURCHASE SIX (6) SMALL ALL-WEATHER TRUCKS WITH PLOWS AND SANDERS.” (\$792,162.76 - [Budget Code A9900.101 (American Rescue Program Act), Department of Public Works 2021 Budget] 2022FY American Rescue Plan Act - City Owned Property Capital Projects COVID & Operational Compliance (H1620.203 C930)).
2. **HELD FROM THE FLOOR.** Amending Ordinance No. 3 adopted on December 8, 2021, entitled AN ORDINANCE AMENDING ORDINANCE NO. 3 ADOPTED ON JANUARY 11, 2023, ENTITLED “AN ORDINANCE REQUESTING PERMISSION TO TRANSFER FUNDS WITHIN THE DEPARTMENT OF MANAGEMENT SERVICES TO FACILITATE PAYMENT TO A+ TECHNOLOGY & SECURITY SOLUTIONS” (\$52,990.92 – from [Budget Code A1680.405, Outside Contracted Services] to Budget Code A1680.203, Equipment).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: Comptroller Morton asked if this was Fiscal Year 2022.

Response: Management Services Commissioner Dr. Helen Uzamere noted this item is from the 2022 fiscal Year. This was an amount slated to be paid from a Budget Code in connection with the purchase of employee ID Cards for the City Building, MVPD, and 405 Gramatan Avenue. The work was done. The budget code noted in the original transfer request was incorrect. Commissioner Uzamere sought permission to change it from the floor. Comptroller Morton noted this is a material change and will need to go back to Council even though it was a typographical error. Councilwoman Browne asked that the item be held from the floor.

Ayes: None.

Nays: None.

3. Granting permission for the City Clerk and two (2) staff members to receive training at the Connecticut Passport Regional Facility – (\$300.00 to be satisfied from Budget Code A1410.402, travel expense, on **February 16, 2023**). (**correction from the Floor)

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: Councilwoman Browne noted that this is an additional revenue source and point of convenience for residents to receive passports.

Response: None.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

4. Granting permission to sponsor the Summer Breeze concerts and Special Events by the Department of Recreation and to accept monetary donations and hang banners. Donations will be deposited into Revenue Code A2705.2, Sponsorships-recreation special events to account code A7620.457, Recreation Features and other expense. Funds for these events will be charged to Budget Code A7620.457, Adult Education-Recreation Features and other expenses, and will not exceed \$30,000.00 allocated budget plus revenue received. Summer Breeze Concerts Series and/or special events will be Tuesdays between the hours of 6:00 p.m. and 9:00 p.m., (rain date will be the following Thursday same place/same time) commencing

Wednesday, July 5, 2023, and ending Monday, September 18, 2023 will be held at: City Hall Plaza, Fourth Avenue (between 2nd and 3rd Streets, Jamaican Independence Day); Stevens Avenue (between North 5th and Gramatan Avenues, Brazilian Day); Gramatan Avenue (between Broad Street and Center Streets); Hartley Park, Brush Park and Hutchinson Field. Special events days will vary between Saturday and Sunday between the hours of 8:00 a.m. and 11:00 p.m. (such times will vary according to event).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: Counsel Johnson noted that Comptroller Morton needed more information, thus the long item descriptor.

Response: Comptroller Morton noted the reading of the street closures is important.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

- 5. Granting permission for the Mayor to enter into a Service Agreement with the Westchester County Youth Bureau and the Board of Legislators – (\$175,454.00 to support the following programs: Safe Haven Summer & Afterschool, STEAM, Youth Empowerment Employment, and Step Up. Anticipated service agreements commence January 1, 2023, through December 31, 2023, and is based upon the Mount Vernon Youth Bureau continuance of contract compliance, appropriation of funds to the Youth Bureau, and execution of the service agreement. Funds are to be accounted for in Revenue Code A2229.8 and with appropriations in the following budget codes: **Safe Haven:** A7326.104 (Salaries) A7326. 803 (Fringe Benefits) and A7326.458 (Contractors, Consumables, Stipends, Program Supplies, Travel, & Trips). **Youth Empowerment Employment:** A7319.101 (Salaries) & A7319.803 (Fringe Benefits) and A7319.458 (Stipends). **Step-Up:** A7336.101(Salaries) A7336.803 (Fringe Benefits) and A7336.458 (Contractors, Consumables, Stipends, Program Supplies, Trips & Travel).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: None

Response: None.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

- 6. Granting retroactive permission for five (5) Members of Service to attend the Deposition Drafting and Juvenile Delinquency Training - (Office of the Westchester County Department of Probation, 111 Dr. Martin Luther King Blvd., White Plains, New York on January 26, 2023. There is no cost for this course only reimbursement for travel expenses, meals, incidentals, and miscellaneous expenses is further authorized upon presentment of receipts / *Dept. of Public Safety*).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: None

Response: None.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

Chairwoman Patterson-Howard noted the trainings as the next items. Comptroller Morton moves to take Items 9-14 as one vote. Counsel Johnson noted there is some confusion about what items need to go to legislation. For travel and use of city car out-of-state approval is needed. Council President Browne Seconds, ALL AYES.

- 7. Granting retroactive permission for four (4) Members of Service to attend the Operational Medicine for Law Enforcement Training - (Center for Disaster Medicine, 7 Dana Road, Valhalla, New York on February 1st and 2nd, 2023. There is no cost for this course only reimbursement for travel expenses, meals, incidentals, and miscellaneous expenses is further authorized upon presentment of receipts / *Dept. of Public Safety*).

8. Granting for five (5) firefighters to attend a two (2) days Ice Water Rescue Training (Montour Falls, NY on February 11th and 12th, 2023. The total cost is \$650.00 and available in Budget Line A3410.451, Training in Fire Department's 2023 Budget).
9. Granting permission for the Fire Mechanic to attend a two (2) day Fire Mechanic Training (Virginia Beach Fire Training Center on February 20th and 21st, 2023 - total cost of \$1,200.00 available in Budget Line A3410.451, Training Fire Department's 2023 Budget).
10. Granting permission for one (1) Member of Service to attend the Gun Game Training (Street Cop Headquarters, 50 Millstone Road, Yorktown, NY on February 27, 2023 - total cost of \$249.00 available in Budget Line A3120.451, Training – Department of Public Safety's 2023 Budget).
11. Granting permission for nine (9) Municipal Code Enforcement Officials to attend the required New York Building Officials Conference ("NYSBOC") - (Westchester County Center on February 8th & 9th and March 8th & 9th, 2023. Cost not expected to exceed \$2,500.00 to include fuel, tolls, meals, and can be accounted for in Budget Line A3620.451, Training – Department of Building's 2023 Budget).
12. Granting permission for two (2) Members of Service to attend the Reality-Based Training Instructor Course (State Preparedness Training Center, Oriskany, NY from March 13th – 17th, 2023. There is no cost for this course only reimbursement for travel expenses, meals, incidentals, and miscellaneous expenses is further authorized upon presentment of receipts / *Dept. of Public Safety*).
13. Granting permission for two (2) Members of Service to attend the Property / Evidence Room Training (Westchester County Police Academy, 2 Dana Road, Valhalla, NY - March 29th – March 30th, 2023. There is no cost for this course only reimbursement for travel expenses, meals, incidentals, and miscellaneous expenses is further authorized upon presentment of receipts / *Dept. of Public Safety*).
14. Granting permission for four (4) Members of Service to attend the Tacops NYTOA Training Conference (Street Cop Headquarters, 50 Millstone Road, Yorktown, NY - April 24th – April 28th, 2023. Total cost of \$3,700.00 available in Budget Line A3120.451, Training – Department of Public Safety's 2023 Budget).
15. Granting permission for one (1) Member of Service to attend the Identifying Criminal Vehicle and Occupants Training (Yorktown Stage, 268 Veterans Road, Yorktown, NY – September 7, 2023. Total cost of \$225.00 available in Budget Line A3120.451, Training – Department of Public Safety's 2023 Budget).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: None

Response: None.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

Chairwoman Patterson-Howard gave congratulations to MVPD; this past Friday 2/10/2023 they dealt with a kidnapping and hostage situation; MVPD was able to have the hostage released without incident. They were also able to secure without incident the alleged kidnapper, who was on a Most Wanted list; that says a lot to the patience and the training utilized by our police.

16. Authorizing the Mayor to renew an agreement with CI Technologies / IA Pro (contract period commencing February 1, 2023 – January 31, 2024. The cost of renewal is \$2,208.16 available in the Department of Public Safety's 2023 Budget Line A3120.449, Investigations and Trials).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: None

Response: None.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

17. Authorizing the Mayor to renew an agreement with Interaction Insight Corporation ("NICE" Main Silver Plan commencing April 1, 2023 – March 30, 2024. The cost of renewal is \$7,383.00 available in the Department of Public Safety's 2023 Budget Line A3120.416, Technology Upgrades (Leases)).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: None

Response: None.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

18. Authorizing the Mayor to extend the Service Contract with Dr. Larry Spruill for the National Park Service African American Civil Rights (The contract will be extended to cover the period October 1, 2022, to September 30, 2023. The grant requires the expenditure of City funds from the Department of Planning & Community Development (Budget Code A8020.405- Outside Services, including Comprehensive Plan), and comes at no cost to the City with submission for reimbursement of Dr. Spruill's consulting fees from the African American Civil Rights Grant) Consulting fees will be capped at the awarded amount of \$50,000.00 and solely funded by the U.S. Department of the Interior's National Park Service.. Dr. Spruill will not be paid an hourly salary and will instead be compensated in increments of (\$25,000.00, \$15,000.00, \$10,000.00).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: Comptroller Morton asked for clarification if this item is covered by a grant? With expenditure and then reimbursement?

Response: Chief Reed affirmed. The grant was originally slated to end in September 2022, and we were able to get an extension of one year. Dr. Spruill has only been paid one increment, additional payments are contingent upon deliverables.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

19. Granting permission to the Comptroller and two (2) staff members to attend the 2023 New York State Government Finance Officers Association ("GFOA") Conference - (Albany, New York from March 29 – March 31, 2023 / \$4,200.00 to be charged to the following Budget Codes: A1315.402 - Travel Expenses for travel and lodging, and A1325.417 - Education and Training for conference registration).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: Comptroller noted there are a lot of changes happening in government finance, principally around GASBY 34 and other items like leases and how we account of them and how we treat trust & agency accounts that now need to be reported as a part of the general fund. In addition to the reporting requirements for the State Comptroller's office. We need to ensure appropriate staff attend. In addition, there are changes to retirement.

Response: Mayor is excited to have competent individuals in the Comptroller's office. Chief Reed noted a typo Education and Training should reflect A1315.417 (corrected from the floor).

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

SETTLEMENTS

20. Settling the claim of GEICO a/s/o Elizabeth Grossfeld - \$2,213.77.

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: Mayor noted this item is from 5 years ago

Response: Council Johnson noted there will be training and review by the City’s insurance representative to those who drive City vehicles.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

21. Settling the claim of Johnell Taylor - \$7,500.00.

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: Mayor noted this is an old Suit December 13, 2019 this individual sought a half-million-dollar claim alleging their civil rights were violated.

Response: Comptroller noted we have improved in the last few years regarding claims. From a measuring point, without this, we have spent \$386,000 out of a \$1.2 million dollar budget in a month and a half into 2023.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

DEPARTMENT OF PUBLIC WORKS REQUEST TO REJECT BID

22. Requesting permission to reject bid for "42 W. BROAD STREET - ADA IMPROVEMENTS, SIGNAL UPGRADES, AND PAVEMENT MARKING IMPROVEMENTS"- (final opening bid September 20, 2022).

Moved: Council President Browne, Seconded by Comptroller Morton

On the Question: Comptroller asked why it was rejected

Response: Assistant Corp Counsel noted it was 20% over the projected cost. There have been no other responses received.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard

Nays: None.

TAX REVIEW SETTLEMENTS

Settling tax review proceedings for:

Council President Browne moves to take Tax Review Settlements as a block vote. Seconded by Comptroller Morton.

On the Question: Counsel Johnson noted some of these tax settlement are assessments with interest and penalties because the City has not been responsive in paying them on time. We couldn’t get the prior comptroller to be responsive. Kudos to current comptroller leadership.

Response: Mayor Patterson-Howard noted several dates. Comptroller noted we are trying to play catch-up and as soon as we clear items more come. Budget for tax refunds is \$1.3 million, tonight’s payments total \$543,047.60; the City is almost 50% into what was allocated for this year’s budget. Mayor noted historic underbudgeting for items.

Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard.

Nays: None

23. **JPMORGAN CHASE BANK, N.A.** --20-28 West First Street, Mount Vernon, NY -- \$94,094.57.

24. **VERNON MANOR COOPERATIVE APARTMENTS, SECTION I** – 465 East Lincoln Avenue, Mount Vernon, NY -- \$74,411.11.

- 25. **VERNON MANOR COOPERATIVE APARTMENTS, SECTION II** – 505 East Lincoln Avenue, Mount Vernon, NY -- \$51,734.46.
- 26. **AIRBORNE REALTY, LLC**, 54-56 South Fourth Avenue, Mount Vernon, NY - \$35,576.24.
- 27. **154 WEST LINCOLN AVENUE CORP.**, 154 West Lincoln Avenue, Mount Vernon, NY - - \$23,174.88.
- 28. **YJB IMPORTS, LLC**, 270 Washington Street, Mount Vernon, NY -- \$14,933.45.
- 29. **2 EAST SANFORD CORP.**, 2 East Sanford Blvd., Mount Vernon, NY -- \$14,862.64.
- 30. **PAK MT. VERNON MNGT., INC. and CAROLYN “BABE” DANZIGER, LTD.**, 309 East Sanford Boulevard, Mount Vernon, NY -- \$14,624.34.
- 31. **TAYUN INC.**, 32 South Fourth Avenue, Mount Vernon, NY -- \$13,305.85.
- 32. **TRATAROS REALTY, LTD.**, 23 Cortland Street, Mount Vernon, NY -- \$9,429.41.
- 33. **SUPERIOR MAGIC ENTERPRISE F/K/A FIRST STREET MAGIC WASH & LUBE**, 300 First Street, Mount Vernon, NY -- \$7,280.91
- 34. **CHARLES L. DUNN**, 18 Roosevelt Square, Mount Vernon, NY -- \$6,793.89.
- 35. **THUNDER PROPERTIES, INC.**, 137 and 141 South Fifth Avenue, Mount Vernon, NY - - \$4,926.33.
- 36. **TENNYSON MACHINE CO., INC.**, 535 South Fifth Avenue, Mount Vernon, NY -- \$2,931.15.

Moved: Council President Browne, Seconded by Comptroller Morton
On the Question: None
Response: None
Ayes: Comptroller Morton, Council President Browne and Chairwoman, Mayor Patterson-Howard
Nays: None

Agenda was concluded at 5:01 PM

Chairwoman Patterson-Howard asked if there was new business: she shared the upcoming Town Hall Meeting on Wednesday, 2/15/23 at 6:30 pm at Riverside Memorial Chapel. asking residents to come out. She further shared the upcoming Comprehensive Planning Meeting on Thursday, 2/16/23 at Vernon Heights Congregational Church corner of Columbus and Beekman at 6:30 pm.

Mayor 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

There being no further business, the meeting was adjourned at 5:05 p.m.

Donna M. Jackson, M.Ed.,
 Deputy City Clerk
 Entered February 14, 2023