



**BOARD OF ESTIMATE & CONTRACT  
MEETING MINUTES  
TUESDAY, FEBRUARY 28, 2023 AT 4:00 P.M.**

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

**Call to Order:** At 4:07 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:**

**Others:** President Pro Tempore Derrick Thompson, 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 Holder (Buildings).

### **OPENING OF BID FOR DEPARTMENT OF BUILDINGS**

Clerk Walters read the public notice of an RDP the CMVNY Dept of Buildings, published on 2/17/23 and 2/22/23 in the Journal News and on BidNet Direct for the Department of Public Works RFP for a consultant to conduct traffic analysis. There were 19 downloads and one (1) bid submitted online by BIDNET received at the closing. Corporation Counsel Brian G. Johnson administered the opening of the bids:

- LaBella Associates: This company provided an hourly rate structure and noted they will perform reviews for 30% of the building permit (city retains 70%).

This closes the reading of the RFPs.

The Chair asked Buildings Commissioner Holder to speak about the RFP. He noted this RFP is for a needed service. The department researched several companies before releasing the RFP. He believes the RFP response is an acceptable quote from LaBella Associates. This company is utilized by several Westchester cities like New Rochelle and Yonkers. They are the only one who replied. The Mayor noted how the Buildings Dept has struggled for more than a decade. In [2019 the NY State Senate issued a report](#) on municipal Building departments in NY State and Mount Vernon was listed as the second worst in the State, second to Ramapo, which NYS ultimately took over. Per that report, in an ideal community there would be one building inspector per 10,000 people.

Based on current census records, the City has at minimum 75,000 residents, but we know it's closer to a 100,000 population. The City needs about 10 building inspectors. For many years the City did not have plan examiners. Through ARPA funds we have onboarded two. The Comptroller noted a [2013 audit of buildings by the Office of the NYS Comptroller](#) around fees and procedures, NYS told us to implement things we were cited for. I want to know how we measure up from then to now with putting compliance in place. Court judgments need to be enforced. From a technical standpoint we need a clear rubric for how we do what we do, and that practices are standardized.

## ADMINISTRATION OF THE AGENDA

### RESOLUTIONS APPROVING ORDINANCES

1. Amending Ordinance No. 2 adopted on February 8, 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 A1680.486, Technology Upgrades – Leases of Servers and Shared Systems to Budget Code A1680.203, Equipment] Budget Code A1680.203, Equipment to Budget Code A1680.405, Outside Contracted Services.

**Moved:** Council President Browne, Seconded by Comptroller Morton

**On the Question:** None

**Response:** None

**Ayes:** Comptroller Morton, Council President Browne, Chair Patterson-Howard

**Nays:** None

2. Granting permission for the Mayor to enter into a lease agreement 1978 Third Avenue, LLC and 11285 AV, LLC – (for office space located at 6 Gramatan Avenue, Suite 203, commencing March 1, 2023 through February 28, 2025. Base Rent and Utilities, with a 3% increase for Year 2:

- Year 1 - \$54,000.00
- Year 2 - \$55,620.00

(Funding for this project is available via the New York State Environmental Corporation ("NYSEFC") in the aggregate amount of \$500,000.00. The funds will be deposited into Revenue Code A3902 to be appropriated to DPW Budget Code A1440.405 throughout the contract period and paid in monthly or quarterly amounts at the discretion of the lessee).

**Moved:** Council President Browne, Seconded by Comptroller Morton

**On the Question:** The Chair there are major capital projects to be conducted over the next few years including mapping of water lines and lead service lines. The City received a grant from NYS for water service and lead services. We are onboarding 3 people including a project manager to manage that. They will be based offsite because their work is not public facing.

**Response:** Comptroller Morton questioned the total amount of the DEC grant? The Chair noted of the amount received, \$500,000 is available for staff and office space. The City is receiving an advance from the Department of Environmental Conservation. A conversation continued regarding recordkeeping and oversight.

**Ayes:** Comptroller Morton, Council President Browne, Chair Patterson-Howard

**Nays:** None.

3. Declaring an emergency situation at 145 South Fulton Avenue which requires immediate demolition - (the Building Commissioner will work with the Department of Public Works Commissioner to identify an appropriate contractor to perform the demolition and all costs will be charged to A1364.466 (Expenses on Properties Acquired by Taxes).

**Moved:** Council President Browne, Seconded by Comptroller Morton

**On the Question:** Comptroller Morton noted the City has a team looking at zombie homes, it would not be in best interest of the city to have a zombie home it owns that we don't manage appropriately. The Building Commissioner noted this property was in disrepair. In addition, the Comptroller has been in contact with the adjacent

neighbor and relayed the City would expedite leveling the structure in the best interest of the community and environment.

**Response:** None

**Ayes:** Comptroller Morton, Council President Browne, Chair Patterson-Howard

**Nays:** None

4. Granting permission for the Comptroller to refund an overpayment for the first half of 2023 City taxes to "Fox Party Rental" (\$18,452.12 to be accounted for in Budget Code A690, related to Block 1076, Lot 14).

**Moved:** Council President Browne, Seconded by Comptroller Morton

**On the Question:** Comptroller explained to councilmembers last week this is a double payment of taxes. The City is still cleaning up finances from prior administrations. This is not missing money or malfeasance. It was an overpayment.

**Response:** None

**Ayes:** Comptroller Morton, Council President Browne, Chair Patterson-Howard

**Nays:** None

5. Granting permission for the Commissioner of the Department of Planning and Community Development to attend the American Planning Association National Conference - (Philadelphia, PA at the Philadelphia Convention Center from March 31<sup>st</sup> through April 4<sup>th</sup>, 2023 / \$2,154.65 to be satisfied in Budget Code A8020.423, Conference Expense) Department of Planning and Community Development 2023 Budget).

**Moved:** Council President Browne, Seconded by Comptroller Morton

**On the Question:** None

**Response:** None

**Ayes:** Comptroller Morton, Council President Browne, Chair Patterson-Howard

**Nays:** None

6. Authorizing the employment of Ms. Brenda Gears to assist the Law Department with its critical need to reduce the document production backlog between the Department of Public Works and the Law Department (\$40.00 per hour and will not exceed \$10,000.00 - available in Budget Code A1420.101, Temporary Help Line).

**Moved:** Council President Browne, Seconded by Comptroller Morton

**On the Question:** None

**Response:** None

**Ayes:** Comptroller Morton, Council President Browne, Chair Patterson-Howard

**Nays:** None

### **TAX REVIEW SETTLEMENTS**

*Settling tax review proceedings for:*

**Council President Browne moves to take Items 7-18 as a group**

**Seconded** by Comptroller Morton

**On the Question:** None.

**Response:** None.

**Ayes:** Comptroller Morton, Council President Browne and Chair Patterson-Howard

**Nays:** None.

7. **BRONXVILLE FIELD CLUB**, 24 Locust Lane, Mount Vernon, NY -- \$278,863.76.
8. **LORRAINE TERRACE CONDOMINIUM**, 81 Lorraine Terrace, Mount Vernon, NY -- \$94,806.07 (*this amount is all interests*).
9. **30 SOUTH FOURTH LLC**, 30 South Fourth Avenue, Mount Vernon, NY -- \$33,813.89.

10. **271 WEST FIRST STREET**, 271 West First Street, Mount Vernon, NY -- \$31,817.26.
11. **FLEETWOOD GLEN CONDOMINIUM**, 777 North Macquesten Parkway, Mount Vernon, NY -- \$28,961.00.
12. **LNK BEST GROUP INC.**, 58 South Fourth Avenue, Mount Vernon, NY --\$27,567.80.
13. **PARFAN REALTY LLC ET. AL.**, 244 West Lincoln Avenue, Mount Vernon, NY -- \$25,872.55.
14. **SEUNG KANG**, 94 South Fourth Avenue, Mount Vernon, NY -- \$20,439.32.
15. **62-64 GRAMATAN AVE., LLC**, 62 Gramatan Avenue, Mount Vernon, NY -- \$17,953.32.
16. **36 COURTER, LLC AND BCD COMMERCIAL, LLC**, 20 East First Street, Mount Vernon, NY -  
- \$15,459.06.
17. **134 NORTH MACQUESTEN PARKWAY**, 134 North Macquesten Parkway, Mount Vernon,  
NY -- \$8,082.59
18. **PARAFRAN SHIWDRIN AND/OR HIGH GARDEN HOLDINGS, LLC**, 97 Lorraine Avenue,  
Mount Vernon, NY -- \$791.96.

**Moved:** moved by Council President Browne, seconded by Comptroller Morton

**On the Question:** Councilwoman Browne inquired if there is a long-term plan to address these tax certioraris?

**Response:** The Chair noted it will cost \$4million to do a property revaluation. The City needs to do a public education piece also. If we look, there is page after page of tax certioraris. we budget for a year; these items go back to 2016, 2017 and prior. The lack of a current property revaluation is causing the City to lose value and monies we are depending on for the city.

The Comptroller noted his hesitation because of his angst around what the lack of a reevaluation is doing to the city financially and the stress it is placing on him personally and professionally in connection with trying to manage the city budget. Item #8 is about the interest - \$98,000 in interest, because the previous finance administration of this city did not pay items in a timely fashion nor respond to what was needed. In working with Corporation Counsel to pay these in a timely manner, today the Comptroller received a call with a deadline to pay a tax certiorari in the amount of \$40,000. To Council President Browne's point, we will need to think creatively and find funds to get a reevaluation done. Comptroller Morton will reach out to the state to discuss options. The Chair noted historic underfunding of the tax certiorari budget line, and further noted that the present administration cannot be expected to right everything wrong in one or two budget cycles.

**Ayes:** Comptroller Morton, Council President Browne and Chair Patterson-Howard

**Nays:** None.

### **ACCEPTANCE OF REQUEST FOR PROPOSAL ("RFP")**

19. Accepting the Request for Proposal ("RFP") for "Consulting Services Traffic Analysis" which was awarded to responding LaBella Associates to provide Consulting Services Traffic Analysis – (\$56,965.00).

**Moved:** Moved by Council President Browne, seconded by Comptroller Morton

**On the Question:** This Item is from the Public Works Department. A discussion followed on process of bid and RFP openings. When they open the RFPs, the Commissioner receives them, evaluates them. Councilwoman Browne stated that

according to the referral letter this bid was found in the mailroom. Counsel Johnson explained how the RFP was delivered to DPW on time. DPW confirmed it was mailed on time. An RFP is not a bid, the City can hire a consultant, or if it is the pleasure of this Board, it can be denied. Further conversation ensued regarding time stamps, delivery and the process that led to this Item being delayed in delivery to the Board of Estimate and Contract. Council President Browne read a portion of the referral letter and the Federal Express delivery receipt; noting the item was delivered December 19<sup>th</sup> 2022 at 9:22am. Corporation Counsel Johnson noted to cure, we can resubmit the RFP to the public, stating a referral letter with supporting documentation as presented was a way to resolve the issue. He stated it was his legal perspective that the City was being transparent by presenting the delivery receipt as proof. The Chair asked for recommendation from the Board. After discussion, Clerk Walters took the roll call.

**Response:** None

**Ayes:** None

**Nays:** Comptroller Morton, Council President Browne, Mayor Patterson Howard

#### **FURTHER BUSINESS**

The Mayor discussed the issue of zombie homes. Through the zombie home coordinator, the City has identified 91 zombie homes. Zombie homes are different from “poorly maintained” homes. She described the categories: Green is low priority, Yellow is monitoring closely; and there are homes have identified as empty. Owners have been contacted; some do not have the ability to demolish or renovate. Of the 91 properties, 48% are in the process of being renovated, others are being prepared for renovation and sale, and 6% will be demolished after an extensive review and approval process. Corporation Counsel Johnson noted the City selected buildings via the Building Commissioner with structural integrity issues. Those buildings are at the top of the list. The Mayor thanked her departments for their work on this issue. A Motion to adjourn was made by Council President Browne and seconded by Comptroller Morton. **ALL AYES.** Meeting adjourned at 5:11 PM.

Submitted,  
Donna M. Jackson  
Deputy City Clerk