



**BOARD OF ESTIMATE & CONTRACT
MEETING MINUTES
TUESDAY, MARCH 28, 2023**

4:00 P.M.

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

“REVISED”

Call to Order: At 4:10 PM by Chairwoman Mayor Shawyn Patterson-Howard

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

Board Members Present: Comptroller Darren Morton, Acting President Thompson sitting in for President Danielle Browne (away at conference), and Chairwoman, Mayor Shawyn Patterson-Howard (we have a quorum).

Absent: None

Others: Chief of Staff Kristen Reed, City Clerk Tanesia M. Walters, Deputy City Clerk Donna Jackson, Assistant Comptroller Condell Hamilton, Assistant Corporation Counsel Alyssa Gillespie, Commissioner Damani Bush, Dana Gardiner, DPW.

ADMINISTRATION OF THE AGENDA

RESOLUTIONS APPROVING ORDINANCES

1. Granting permission to increase dog license fees as follows:

DOG LICENSE FEES FOR:	FROM:	TO:
Spayed/Neutered Dogs	\$5.50	\$9.00
Unsprayed/Unneutered Dog	\$13.50	\$17.00
Dogs with medical exemptions	\$10.00	\$14.00

(Effective January 1, 2024).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: Comptroller Morton asked when the last time the fees were increased? Mayor Patterson Howard asked why the increase was happening now.

Response: Clerk Walters noted the dog license fees were increased over 20 years ago. This current increase will bring us in line with other municipalities.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

- HELD FROM THE FLOOR.** Granting permission to create two (2) new positions within the Board of Water Supply as follows:

BOARD OF WATER SUPPLY	
Positions to be Created	Salary
Lead Service Line Administrator	\$85,000.00
Lead Service Line Field Coordinator	\$52,000.00

(Funds for the aforesaid positions will be available in the \$1MM grant received from NYS EFC).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: The Mayor noted the City received a 1.5-million-dollar grant; The City has to GIS map the lead service lines by October 2024 to begin lead service line replacement. These are grant funded positions for a limited time.

Response: Comptroller Morton asked if these two positions were evaluated by HR and inquired about the grade and salary documents. The Mayor noted the positions were vetted by Civil Service, and the City Council approved the salaries and the budget lines (Acting President Thompson agreed). After review, Comptroller Morton noted that there was not information from HR regarding the step / grade or Max/Min, and requested the item be held.

Ayes: NONE. Held from the floor.

Nays: None

- Granting permission for the City’s Procurement and Purchasing Manager from the Department of Management Services to attend the Long Island Regional Conference for New York State Association of Municipal Purchasing Officials (“SAMPO”) – (East Wind Hotel in Long Island, New York on March 22-23, 2023. \$400.00 originating from expenditure code A1680.417 and travel expenses (mileage reimbursement or rental vehicle) will originate from expenditure code A1680.402, not to exceed \$150.00). -- Procurement and Purchasing Manager will utilize a City vehicle to and from said conference. Reimbursement for travel expenses, meals, incidentals, and miscellaneous expenses is further authorized upon presentation of receipts for travel expenses.

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: The Mayor noted the City’s new procurement staff member attended the conference, noting great sharing of best practices and connections with other municipalities that will benefit the City of Mount Vernon.

Response: None

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

- HELD FROM THE FLOOR.** Granting permission to the Comptroller to establish new revenue and corresponding expense accounts for sustainability purposes for the exclusive use of the Department of Public Works.

Moved: Comptroller Morton asked for this Item to be held from the floor, pending a review of the NYS Chart of Accounts. Commissioner Bush will have a conversation with Comptroller.

On the Question: None.

Response: None.

Ayes: None.

Nays: None.

- Granting permission to the Mayor to accept a grant award from the New York State Energy Research Authority (“NYSERDA”) Clean Energy Communities program as follows:

Approved Energy Auditor (Selected by NYSERDA)	\$11,400.00
Sustainable Upgrades (Performed by CMVNY)	\$ 3,600.00
	\$15,000.00

(Commencing April 1, 2023, through April 30, 2024).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

6. Granting permission for the Mayor to enter into an agreement with Logical Buildings - Grid Rewards Program (May 1, 2023 – September 30, 2023).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

7. Granting permission for the Mayor to enter into a Service Agreement with Westchester County Executive, George Latimer, Board of Legislators and the Westchester County Youth Bureau (\$25,666.00 for the period March 1, 2023 through August 31, 2023. Funds for this program are to be accounted for in Revenue Code A3820.3 for appropriations in Budget Code A7338.101 (Salaries), A7338.803 (FICA), A7338.804 (Worker Comp.), A7338.805 (Unemployment), A7338.458 (Misc.), which includes consumables and supplies. **There is no matching obligation for this grant.**

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None.

8. Granting permission for the Mayor to enter into an Inter-Municipal Agreement with Westchester County Executive, George Latimer, Board of Legislators and the Westchester County Youth Bureau (\$16,935.00 for the period January 1, 2023 through September 30, 2023. Funds for this program are to be accounted for in Revenue Code A2229.8 in the following appropriations Budget Codes: A7311.104 (Part-Time Salaries), in the amount of \$4,481.00, A7311.803 (FICA) in the amount of \$343.00, A7312.104 (Part-Time Salaries) in the amount of \$11,250.00, and A7311.803 (FICA), in the amount of \$861.00. **There is no matching obligation for this grant.**

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None.

9. Granting permission for the Department of Recreation to sponsor the Annual Easter Hunt Celebration (Hartley Park on Saturday, April 8, 2023 (rain date: Saturday, April 15, 2023) from 12:00 p.m. to 3:00 p.m. -- Funds for the aforesaid not to exceed \$2,500.00 are available in Budget Codes A7310.447 (Youth Programs/other expenses)).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: Comptroller Morton asked the reason for this Item's inclusion in BOE&C.

Response: Clerk Walters replied that Corporation Counsel will have a conversation with Comptroller regarding what items will come before the City Council and BOE&C. The Comptroller noted he understands items from Recreation that indicate a co-sponsorship need to be approved by BOE&C, but in this case, the event is sponsored solely by the City/Recreation. Funding is within our approved budget, on our property. Acting President Thompson noted it was likely done for the sake of transparency.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

10. Granting permission for the Mayor to accept a one-time award from the Division of Criminal Justice Services (“DCJS”) for the purchase of body worn cameras - (\$60,000.00 award - Funds are to be deposited into Revenue Line- A3389.9 then transferred to the Equipment Budget Line A3120.203).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: The Mayor gave thanks to the Division of Criminal Justice Services (“DCJS”) for the award for the extra body cameras; this continues to ensure our officers have body-worn cameras for their safety and for the public’s safety.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

11. Granting permission for three (3) Members of Service from the Department of Public Safety to attend a five (5) day Basic Juvenile Police Officer Course - (conducted at the Westchester County Police Academy, 2 Dana Road, Valhalla, NY 10595 from March 27th - March 31st, 2023. The cost for this training will not exceed \$750.00 and will be satisfied from Budget Line A3120.451 (Training). Members will utilize a City vehicle to and from said course. Reimbursement for travel expenses, meals, incidentals, and miscellaneous expenses are further authorized upon presentment of receipts for travel expenses).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None.

12. Granting permission for six (6) Members of Service (Sergeants) from the Department of Public Safety to attend the Transformational Leadership Strategies for Police Leaders Course – (Westchester County Police Academy, located at 2 Dana Road, Valhalla, NY 10595 on April 27, 2023. The cost for this training will not exceed \$1,170.00 and will be satisfied from Budget Line A3120.451 (Training). Members will utilize a city vehicle to and from said training. Reimbursement for travel expenses, meals, incidentals, and miscellaneous expenses are further authorized upon presentment of receipts for travel expenses).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None.

13. Granting permission for four (4) Members of Service from the Department of Public Safety to attend the Law Enforcement Stress Awareness Suicide Prevention Summit Training – (Putnam County Emergency Services Building Auditorium (TOPS), located at 112 Old Rt. 6, Carmel, NY 10512 on May 16, 2023. *There is no cost for this training.* Members will utilize a city vehicle to and from said training. Reimbursement for travel expenses, meals, incidentals, and miscellaneous expenses are further authorized upon presentment of receipts for travel expenses).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None.

14. **HELD FROM THE FLOOR (4:41PM).** Granting permission to transfer funds from the Department of Public Safety’s Sales of Scrap and Excess Revenue Line

(A2650) to Public Safety – (\$16,450.00 from Revenue Line A2650 (Sales of Scrap and Excess) to Budget Line A3120.203 (Equipment) for Department Vehicles).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: The original vote reflected “ALL AYES”. The Comptroller returned to this item at 4:36pm, and asked if there is excess funding in that line, and if we projected revenue for that line? The Committee looked at the 2023 adopted budget. Assistant Comptroller Condell Hamilton confirmed the budget line is A2650, projected as \$5,000 (sale on scrap and excess). The Comptroller made a motion to reconsider Item #14, Acting President Thompson seconds. Roll call- ALL AYES to reconsider Item #14 (4:38PM).

Response: After extended discussion, the BOE&C moved to hold this item from the floor. He noted that we cannot move money from a revenue line into an expense line. This is not normal practice, except in special circumstances (e.g., grant funding). We must meet projections in order to utilize funds in this way.

Ayes: None.

Nays: None.

- 15. Granting permission for the Comptroller to refund an overpayment of taxes to “Fay Servicing.” - (Account Code A690 – refund in the amount of \$18,070.14 for overpayment of property taxes on Block 1076, Lot 24).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

- 16. Granting permission for the Comptroller to make payment to CivicPlus, Inc. (\$17,640.01, represents payment for one (1) year of service for the period commencing January 1, 2023, to December 31, 2023, for the City of Mount Vernon service app – CMVNYConnect).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

Return to Item # 14 by Comptroller Morton (4:36pm). See notes in red.

Motion by Comptroller Morton to take Items #17 and 18 as a group, Seconded by Acting President Thompson, VOTE: ALL AYES (4:42pm)

MINIMUM/MAXIMUM SALARY RESOLUTION(S)

- 17. MINIMUM / MAXIMUM – Classified – CSEA (Administrative Aide in the City Clerk’s Office).

- 18. ALL POSITIONS – CITY / CSEA – (establishing the salary of the Administrative Aide in the City Clerk’s Office).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None.

PARTIAL PAYMENTS
Authorizing Partial Payment(s):

19. **HELD FROM THE FLOOR** #10 to PCI INDUSTRIES CORP. for Project No. PCI #4360 in the amount of \$101,043.09 (available in Budget Code H5110.203.C931 - Street Maintenance & Repairs, in which all funding is reimbursed 100% via the New York State Chips Program (Consolidated Local Street Highway Improvement Program)).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: (Initial Vote: ALL AYES by Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard. Upon discussion of Item #20, Items 19-22 were held.)

Nays: None.

20. **HELD FROM THE FLOOR** #10 for Invoice No. 1681 to GREEN MOUNTAIN PIPELINE SERVICES, INC. in the amount of \$84,450.00 (paid out of ARPA Budget Code H8140.203.C932 – Stormwater Sewer Rehabilitation).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: Comptroller Morton noted a funding issue. Chief Reed explained the outstanding amounts and overtures. Comptroller Morton emphasized the need to hold these items at this time (4:46pm). He requested a review of the grant funding, and possibly creating a separate capital project code for the sewer projects that are grant funded. The Comptroller noted the need to be expeditious with charges, reimbursements and submittals, to balance cash flow until we get concrete answer from US treasury. The creation of a separate “C” code, with a different expense line

Ayes: None.

Nays: None

21. **HELD FROM THE FLOOR** #11 for Invoice No. 1798 to GREEN MOUNTAIN PIPELINE SERVICES, INC. in the amount of \$28,350.00 (paid out of ARPA Budget Code H8140.203.C932 – Stormwater Sewer Rehabilitation).

22. **HELD FROM THE FLOOR** #12 for Invoice No. 1820 to GREEN MOUNTAIN PIPELINE SERVICES, INC. in the amount of \$274,790.00 (paid out of ARPA Budget Code H8140.203.C932 – Stormwater Sewer Rehabilitation).

Motion to take Items 23-27 AS A GROUP (4:49pm)

Moved: Motion by Comptroller Morton, Seconded by Acting President Thompson.

VOTE: ALL AYES

TAX REVIEW SETTLEMENTS
Settling tax review proceedings for:

<u>Item No.</u>	<u>Company</u>	<u>Address</u>	<u>Settlement Amount</u>
23.	22 WEST FIRST STREET	22 West First Street	\$66,655.40
24.	COMBA CONCEICAO	566 South Fulton Avenue	\$11,083.23
25.	LINDA REALTY	145 & 159 Gramatan Avenue	\$10,356.22
26.	BCOH	102 Gramatan Avenue	\$10,114.37
27.	SS ENTERPRISES REALTY	70 South Third Avenue	\$9,005.26

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None.

RESOLUTIONS APPROVING ORDINANCES (CON'T)
FROM THE “SPECIAL” MEETING
HELD ON MONDAY, MARCH 27, 2023

28. Amending ordinance No. 1 adopted on August 11, 2021, entitled “AN ORDINANCE AUTHORIZING THE RENDERING OF SERVICES FOR THE ORDER ON CONSENT WITH THE CANAL STREET FACILITY AND MARINA - (\$706,977.74 [441,358.00] - Funding is available from 2021 Miscellaneous Items – Contingent Fund Budget Code A1990.493 and 2022FY American Rescue Plan – Sanitary Storm Sewer Rehabilitation and Construction (H8120.203 C933)).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: Comptroller Morton asked about funding for this item, Commissioner Bush noted this is adding funding from the ARPA line.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

29. Authorizing the Mayor to enter into a Funding Agreement with Westchester County (the “County”) and New York State Environmental Facilities Corporation (the “NYSEFC”) for the 3rd Street Sewer Rehabilitation Project – (This agreement is effective and enforceable as of the date on the cover page following its execution by the City, the County, and the NYSEFC, and it will remain in full force and effect until March 31, 2027, unless terminated sooner in accordance with the provisions herein or extended by written agreement of the parties).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: Mayor clarified this is part of the \$150 million that the City solicited and advocated for from NY State. We were awarded this money in April 2022, we are bringing this project to fruition in record time. The Mayor gave detailed explanation to clarify the County’s role. The County is administering the funds on behalf of the city from the State of NY. This is NY State funding coming to CMVNY. The City chose to do it this way to alleviate the workload on the Comptroller’s Office staff (they are completing audits). The County is serving as project manager. The County is not funding this project. This is a fiscal pass-through. The Mayor thanked the County leadership for supporting this project and gave special thanks to Commissioner Bush and County Commissioner Kapicki.

Response: The Comptroller asked that documentation submitted to the County is also submitted to the Comptroller for their records. Further, the Comptroller will speak to the auditors to clarify the flow of funds. Because NY State gave the money to the City of MVNY, even though this is not passing through our financial records, how does the City account for the funding, or are we obligated to do so. If yes, how do we account for those funds. The Comptroller needs to ensure the City has all of the necessary records, as they work to complete the remaining 6 or 7 years of audits.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None

30. Authorizing the Mayor to enter into an Inter-Municipal Agreement (“IMA”) with Westchester County (the “County”) and New York State Environmental Facilities Corporation (the “NYSEFC”) for the 3rd Street Sewer Rehabilitation Project – (approximately \$9,000,000.00 to be funded by the NYSEFC for the cost of design and construction pursuant to separate funding agreement with the County and City. The term of this agreement shall commence upon full execution and shall have a term of five (5) years or terminate upon completion and acceptance of the project by the County and City, whichever is earlier, unless terminated sooner pursuant to the provisions of this agreement).

Moved: Acting President Thompson, Seconded by Comptroller Morton

On the Question: None.

Response: None.

Ayes: Comptroller Morton, Acting President Thompson and Chairwoman, Mayor Patterson-Howard.

Nays: None.

Comptroller Morton returned to Item #4 at 5:03pm. He asked for clarification of monies in Item #4 and their relation to Item #5. The Comptroller asked for clarification so that it will help determine the creation of the accounts. Discussion ensued regarding budget lines and appropriate placement of funds. The agenda concluded at 5:11 PM.

Further Business: The Comptroller noted that County taxes were mailed this weekend. People are shocked because they are getting them on time. The County taxes are combined (County tax, sewer and refuse). Citizens may see a small increase. There was a computer glitch in the tax assessment program in the Assessor's program that determines what the tax rate is. The computer arbitrarily took a bank code out, and some citizens received a bill that they normally do not receive. Mortgage providers have also received the bill. The Comptroller noted that sometimes these computer glitches happen. The Assessor's office is sending out communications to the affected citizens.

The Mayor asked for a motion to adjourn. Acting Council President Thompson moved to adjourn, Comptroller Morton Seconded. VOTE: ALL AYES.

There being no further business, the meeting was adjourned at 5:12 p.m.

Donna M. Jackson, M.Ed.,
Deputy City Clerk
Entered March 28, 2023