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**BOARD OF ESTIMATE AND CONTRACT
MEETING MINUTES
HELD ON TUESDAY, AUGUST 16, 2022**

CALL TO ORDER: At 4:15pm Chairwoman Mayor Shawyn Patterson-Howard called the meeting to order.

BOARD MEMBERS

Present: Comptroller Darren Morton, City Council President Derrick Thompson and Chairwoman, Mayor Shawyn Patterson-Howard (we have a quorum).

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

Absent: None

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

NEW BUSINESS:

RESOLUTIONS APPROVING ORDINANCES:

Item No. 1 Authorizing the Mayor to extend and amend the contract with Green Mountain Pipeline Services, Inc. - (from the WQIP Grant Award (\$1.6M) and the (\$500,000.00 New York State Environmental Facilities Corporation ("EFC") Grant Funding appropriation.

On the Question: This is the water quality improvement grant.

Response:

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

Nays: None

(continued...)

Item No. 2 **Authorizing the Mayor to amend the original Arcadis of New York, Inc. Agreement - Sewer Consultants - (proposed contract period: August 10, 2022, through August 9, 2023)-Funding for this project is available via the following sources: American Rescue Plan Act ("ARPA") - Infrastructure: 5.5 Clean Water: Other Sewer Infrastructure - H8120.203.C933b - Consultant Engineers - \$250,000.00; (ii) American Rescue Plan Act ("ARPA") Infrastructure: 5.6 Clean Water: Stormwater - H8140.203.C932b - Consultant Engineers - \$250,000.00; and (iii) New York State Environmental Facilities Corporation ("NYSEFC") Grant Funding.**

On the Question: Comptroller Morton was appreciative of the City Counsel's addition of information and specificity on the BOE&C agenda items. The 3 different funding sources were already adopted by the Council as part of the ARPA, and we are utilizing it now.

Response:

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

Nays: None

Item No. 3 **Requesting permission to transfer funds within the Department of Public Works 2022 Budget to cover negative balances - (\$346,501.99).**

On the Question: Comptroller Morton congratulated the Department of Public Works (DPW) for taking the lead on what all departments will eventually do – providing specific documentation to cover any overages. This was a practice of former Comptroller Maureen Walker, and the Comptroller's Office will continue this practice moving forward. Comptroller Morton and Assistant Comptroller Hamilton examined the budget line to confirm this transfer is appropriate.

Response:

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

Nays: None

Item No. 4 **Authorizing a transfer of funds within the Department of Public Works to cover the salaries of newly hired seasonal cleaners (\$60,000.00, from A1620.442 (Cleaning) to A1490.104 (Part Time/Seasonal Salaries)).**

On the Question: Comptroller Morton recollected that an RFP went out to the public and was returned very overpriced. To that end, the DPW commissioner is ensuring City buildings have the cleaning services needed, while he prepares for full transition for this service to come in house. Chairwoman Patterson-Howard noted that the quality of the cleaning services city buildings receive currently have improved greatly.

Response:

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

Nays: None

- Item No. 5** **HELD - Authorizing the Department of Public Works to purchase fifty (50) new City trash cans (\$19,036.00 under NYS OGS Contract #PC67464 - funds available through the American Rescue Plan - Negative Economic Impacts - Streetscape Litter Reduction (A8020. 101 ARP). This item will be presented in special meeting on Friday, 8/19/2022.**

On the Question:

Response:

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

Nays: None

- Item No. 6** **Authorizing the Mayor to enter into an agreement with the New York State Environmental Facilities Corporation ("NYS EFC") to accept grant funds in the amount of \$500,000.00 to fund outside consultant engineering services - (Revenue Code A3902, State Aid, Planning Studies) to be appropriated to Budget Code A1440.405, DPW Engineering Office; Contracted Outside Services) throughout the contract period.**

On the Question: Corporation Counsel Brian Johnson thanked City Attorney Johan Powell for his assistance with this Item. Initially this was going to be a reimbursable loan, and Attorney Powell worked with NYS to make this a grant. Chairwoman Patterson-Howard noted the \$150M we are receiving is, in its totality, a grant, and these grants are reimbursable. The improvement projects are executed, we send NY State the invoices, and NY State reimburses the City of Mount Vernon. Mayor Patterson-Howard reiterated again that these are grant funds. Corporation Counsel Brian Johnson noted that Westchester County and NY State employees have been a great resource to us. Comptroller Morton further noted the growing confidence that these agencies have that we will administer and steward these monies correctly. Mayor Patterson-Howard implored the public to assist with keeping disinformation out of the public forum because it hurts our ability to engage federal and state agencies.

Comp. Morton inquired of Chief of Staff Reed if the \$500K will be spent in 2022. Chief Reed responded, Yes, it will roll over, as it will for Item 7 below. Comp. Morton noted that we will treat these grant funds as we treat the multi-year youth bureau grants.

Response:

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

Nays: None

- Item No. 7** **Authorizing the Mayor to enter into an agreement with the New York State Environmental Facilities Corporation ("NYS EFC") to accept grant funds in the amount of \$500,000.00 to fund sewer cleaning and closed-circuit inspection- (Revenue Code A3901, State Aid, Operation & Maintenance of Sewer) to be appropriated to Budget Code A8120.405, DPW Sanitary and Storm Sewers; Outside Contracted Services) throughout the contract period.**

On the Question:

Response:

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

Nays: None

- Item No. 8** **HELD** Authorizing the Mayor to enter into an agreement with the New York State Environmental Facilities Corporation ("NYS EFC") to accept grant funds for capital improvement projects throughout the City (\$5,000,000.00 Revenue Code H3990, State Aid, Sewer Cap Pro) to be appropriated to Budget Code A8120.405, DPW Sanitary and Storm Sewers; Outside Contracted Services) throughout the contract period. **This Item will be presented in a special meeting on Friday, August 19, 2022.**

On the Question:**Response:**

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

Nays: None

- Item No. 9** Authorizing the Mayor to enter into an agreement with Interactive Health LLC (contract period: July 1, 2022 - September 30, 2022. \$15,000.00, Budget Code A7316.405).

On the Question:**Response:**

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

Nays: None

- Item No. 10** Authorizing the transfer of funds between the Department of Recreation and the Department of Public Works to facilitate the security installation plan at Memorial Field- (total amount of \$145,000,00 to be transferred as follows: \$20,000.00 from Originating Account # A7021.110, Memorial Field Overtime to Account #A7111.430, Memorial Field Renovations; and \$125,000.00 from Originating Account # A7021.458, Memorial Field Other Expense to Account #A7111.430, Memorial Field Renovations).

On the Question: Chairwoman Patterson-Howard noted this is just a transfer of funds; we are nearing the end of the Memorial Field revitalization project. The City wishes to ensure there is enough security and communication resources at the Field; inclusive but not limited to door sensors, cameras, and the emergency fire and police installations necessary to operate.

Response:

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

Nays: None

Item No. 11 Authorizing the transfer of funds within the Department of Recreation - (Amount: \$41,694.00 from Account Code: A7140.101 = Salaries and Wages to Account Code: A7141.101, Salaries and Wages).

On the Question: Comptroller Morton congratulated the Recreation Department for filling the gaps in their budget with this transfer.

Response:

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

Nays: None

Item No. 12 Amending Ordinance No. 15, adopted on July 13, 2022, entitled "AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE AGREEMENT WITH WESTCHESTER COUNTY EXECUTIVE, COUNTY BOARD OF LEGISLATORS AND THE WESTCHESTER COUNTY YOUTH BUREAU AND ACCEPT FUNDS IN THE AMOUNT OF \$71,428.00- (Account Code A7319.203, Equipment; and Account Code A7319.405, Contracted Outside Services).

On the Question: Comptroller Morton noted, for clarity, this Item was presented before. The Item was returned to ensure the proper account code allocation for the van. Chairwoman Patterson-Howard extended thanks to County Executive Latimer, and the County Youth Bureau.

Response:

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

Nays: None

Item No. 13 Declaring an emergency situation for the purchase of an emergency service unit vehicle (\$275,000.00, Budget Code A3120.203 ARP).

On the Question: Chairwoman Patterson-Howard explained to the public the request for the emergency declaration; and described the aging and out-of-service ESU trucks. An emergency service unit was located, but not under the NYS Contract services. The City asked to declare an emergency to pursue this funding. The City cannot be without this piece of emergency equipment. Comptroller Morton noted that out of the ARPA funds for public safety the City has spent millions as an investment in public safety. We have an allocation of 28 new police cars. He further explained the supply chain issues causing the delivery delay, but shared the City has received 7 vehicles to date. The purchase of this emergency services vehicle is a further investment. Comptroller Morton requested Chief Reed to follow up with Commissioner Bush on the list of old and new city vehicles. Upon receipt he will work with Corporation Counsel on an RFP for a new insurance brokerage. He further noted the need to review and safeguard the assets we are purchasing, and monitor their use and aging.

Response:

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

Nays: None

Item No. 14 **Authorizing the Building Department to add a "Temporary Help Line," reallocate funds within the Salary Line A3620.101 from the vacant Code Enforcement Officer position and create an Office Assistant position within the Department of Buildings- (reallocate: \$25,000.00, Salary Line A3620.101)**

On the Question: Chairwoman Patterson-Howard noted that the Department of Buildings is always at the center of public discussion about the inability to reach them and have them respond in a timely way to community needs. For the first time ever, we now have budgeted for 5 code enforcement officers. One slot remains vacant and the reallocation of the money from this line to a clerk line is an answer to the need to have someone available to answer the incredible volume of calls that come in daily. Comptroller Morton reiterated that this is a reallocation of resources. This is not an addition of an FTE to the existing budget. This was money appropriated and not spent, and hopefully this helps to triage and assist with the service and efficiency needs of that department. He commend the building department for coming and sitting with the finance department to work on this Item.

Response:

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

Nays: None

Item No. 15 **Authorizing the Fire Department to accept four (4) 2022 Ford F550 4X4 XLT Wheeled Coach of LI Proliner Rescue Inc Ambulances (\$1,239,636.00, Urban Renewal Agency ("URA") and paid for with HUD CDBG Program Funds).**

On the Question: Chairwoman Patterson-Howard noted all communities are examining their strengths, weaknesses and gaps in their ability to respond to emergencies. There have been articles written about the stresses on mutual aid as a result of this pandemic and in general. In 2020 she discussed bringing ambulance services in-house. This authorization will allow us to bring four (4) ambulances into the city. This is CDBG/CARES Act funding will assist the City with addressing public health issues. This will be a revenue generating operation as well. It will take several months for these ambulances to arrive. These ambulances will be housed in our fire departments. Our Chief of Fire Operations Robert Odindo along with our Deputy Commissioner of Fire Teddy Beale, who has decades of history in EMS, will work to create this in-house service and system. These are federal funds, at no cost to the city. We are utilizing ARPA monies for the first 2 years for staffing (no cost to the city). We are expanding our capacity and ability to create employment pathways as well.

Response:

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

Nays: None

- Item No. 16** **Authorizing the Mayor to enter into an annual renewal agreement with Dell Technologies for the purchase of Microsoft 365 Licenses (contract period: September 1, 2022 - August 31, 2023; \$69,928.61 in Budget Line A3120.416).**

On the Question: Comptroller Morton noted these Microsoft licenses will cover the MVPD also.

Response:

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

Nays: None

- Item No. 17** **Amending Ordinance No. 20, adopted on July 13, 2022, entitled "AN ORDINANCE AUTHORIZING A TRANSFER OF FUNDS WITHIN THE DEPARTMENT OF ASSESSMENT FOR OVERTIME EXPENSES"- (\$10,000.00- Account Code A1355.110, Overtime)**

On the Question:

Response:

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

Nays: None

- Item No. 18** **Authorizing an increase in the Standard Mileage Reimbursement Rate (from: 50.5 cents per mile to 62.5 cents per mile).**

On the Question: Comptroller Morton clarified that this is an increase of 12 cents per mile. There has not been a change to the amount the city reimburses 2008. This is completely out of compliance with the IRS suggested reimbursement of 62.5 cents. We are adopting this rate in accordance with IRS standards and guidelines. He further noted the use of personal vehicles is regulated and minimized to ensure that what the City is paying for is in direct alignment with city business.

Response:

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

Nays: None

- Item No. 19** **Authorizing the transfer of funds and the position of Code Enforcement Manager from the Department of Planning & Community Development to the Department of Buildings**

On the Question: Chairwoman Patterson-Howard noted this position of code enforcement was created through the Cities RISE grant, a 2 year grant. The position supervised CMVNY Connect and tenant's rights. She shared that the City of Mt. Vernon is #2 based on a [2018-2019 NYS Senate report as the 2nd worst code enforcement city in the state of NY.](#)

Chairwoman Patterson-Howard reminded the public of the earlier mention of the increase of enforcement staff. This Code Enforcement position will manage all of the enforcement officers. The position is moving from the Planning Dept. to the Buildings Dept. for better coordination, training, oversight and enforcement.

Response:

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

Nays: None

MOTION TO ENTER EXECUTIVE SESSION by Thompson, Seconded by Morton, 5:00PM, all Ayes.

MOTION TO CONCLUDE EXECUTIVE SESSION by Morton, Thompson seconded, all Ayes. Part II of this Board of Estimate and Contract meeting began at 5:11pm

Item No. 20 Authorizing the Comptroller to enter into an agreement with JP Morgan Chase for the Commercial Purchase Card Program.

On the Question: Comptroller Morton explained to the public that the forms of payment and how financial business is conducted has changed drastically. There are entities that no longer accept checks, and purchase orders are becoming past practice. Electronic business is the norm, especially through these last two years of COVID. The Comptroller's Office examined other municipalities and worked with JP Morgan Chase on this Purchase Card program. He explained the financial benefits, and how the City will receive rewards on purchases, a monetary advantage. The payment portal will allow the finance department to closely monitor and set limits on what is purchased. Our Assistant Comptroller Hamilton will monitor those expenditures. The digitization will further allow for efficient general ledger management. The Comptroller's Office will have oversight and management of card use, based upon explicit approvals from the City Council. There are clear regulations around it. This a pilot rollout; only selected city staff will receive the cards: the mayor, the Comptroller, the Clerk's office, and key department leads. The Comptroller's office will provide an interim policy and practice manual for use, and what will come before the Council after we evaluate, is a recommendation for a permanent policy and procedure. The Comptroller thanked the Council members for approving this initiative. The cards will have the seal of the Office of the Comptroller and will clearly identify the cardholder. There will be regulations around how we use and safeguard this initiative. Chairwoman Patterson-Howard thanked the Comptroller for bringing this needed financial service and the protocols to the City of Mount Vernon.

Response:

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

Nays: None

Item No. 21 Authorizing the Mayor to enter into a Professional Consultant Agreement with Cynthia Owens to perform accounting services within the Mount Vernon Board of Water Supply ("BWS") (\$150,000.00 - Account Code: 001-521-521002, Salaries & Wages - Administrative Staff).

On the Question: Chairwoman Patterson-Howard explained to the public that this Authorization is not a salary of \$150K; it is a consultant contract for \$150K, for a 24-month period, for a consultant who will make \$30/hour, on a 40-hour work week, not to exceed \$150k.

Response:

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

Nays: None

Motion by Morton to take 22, 23 and 24 as one item, seconded by Thompson at 5:22pm, all Ayes.

Item No. 22 (Settlement) Settling the claim of Robert Farran - \$60,000.00.

On the Question: This large claim is from 2017; the City was about to be trial-ready but was able to settle. The 2 smaller claims (Item 23 and 24 below) are from 2021 and have to do with property damage with city vehicles.

Response:

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

Nays: None

Item No. 23 (Settlement) Settling the claim of Rafael Rojas - \$2,589.00.

On the Question:

Response:

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

Nays: None

Item No. 24 (Settlement) Settling the claim of Andrea Linares \$3,909.00.

On the Question:

Response:

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

Nays: None

Item No. 25 (Partial Payment) Authorizing partial payment #2 to TRALIAN HOLDINGS, LLC - \$4,227.00 (Budget Code A1432.417 (Education/Training)).

On the Question:

Response:

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

Nays: None

Motion by Morton to take 26, 27 and 28 as one item, seconded by Thompson at 5:22pm, all Ayes.

Item No. 26 (Minimum/Maximum Salary Resolution) D.P.W. Maintenance of Parks (Tree Surgeon).

On the Question: Comptroller Morton explained that the City already has in the budget the tree surgeon resolution but the max/min steps were incorrect and this motion will correct it.

Response:

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

Nays: None

Item No. 27 (Minimum/Maximum Salary Resolution) Establishing the salary of Code Enforcement Manager (Department of Buildings)

On the Question: Comptroller Morton explained the City is moving this position from the Planning Department to the Buildings Department; and the Minimum/maximum salary resolution has to be established first.

Response:

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

Nays: None

Item No. 27 (Minimum/Maximum Salary Resolution) fixing the salary of Finance and Employee Benefits Specialist (Department of Buildings)

On the Question: Comptroller Morton explained: before his office can approach the City Council with the resolution for this position, the salary grade and minimum/maximum salary resolution must be established first.

Response:

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

Nays: None

NOTES:

Chairwoman Patterson Howard spoke about the settlements of city vehicle accidents whether it was a snowplow, or police vehicle. She read portions of Commissioner Bush's memorandum on city owned vehicles and their use. She reminded the public of the purchase of the new city vehicles (upwards of 50 vehicles), and noted the need to ensure this investment in the city (made possible by American Rescue Plan monies), that these assets are respected and protected, and we want to minimize accidents. She further described new processes and procedures in the MVPD to minimize accidents with police vehicles. She expressed appreciation to the Council for their assistance with this historic investment and upgrading of the City's fleet of vehicles. She noted and informed the listening public that the city will begin to increase parking enforcement to minimize bad habits with parking and street use. She reminded the public of the need for emergency vehicles to reach hydrants and park for emergencies. She noted there will be a push for tickets and fines for those who do not adhere to parking rules.

Councilman Thompson mentioned he is looking forward to the accountability piece for our vehicle fleet.

City Council Brian Johnson noted that our drivers need alternative ways to communicate while driving.

Chairwoman Patterson-Howard noted that staff will be required to sign-off on our updated policies to ensure they have received and understand these protocols.

Comptroller Morton noted that the Office of the Comptroller will monitor drivers' license infractions through the [DMV Lens Initiative](#). His Deputy will oversee that. The Comptroller's Office will have a list of all vehicles, who they are assigned to, and the conditions they are assigned in. He emphasized that City vehicles are an employee benefit that we have to report to the IRS.

Chairwoman Patterson-Howard made a motion to adjourn and it was seconded by Morton and Thompson.

There being no further business, the meeting was adjourned at 5:38 p.m.

Donna M. Jackson, M.Ed.,
Deputy City Clerk