

FILED
CITY CLERK
MOUNT VERNON, NY

2024 SEP 24 P 4: 19

City of Mount Vernon, New York

1 ROOSEVELT SQ. RM. 104
CITY HALL, MOUNT VERNON, NEW YORK 10550
& VIA FACEBOOK.COM/MOUNTVERNONNY



Meeting Agenda - Final

Wednesday, September 25, 2024

7:00 PM

**CITY COUNCIL CHAMBERS
CITY HALL**

City Council

TANESIA M. WALTERS, J.D., M.P.A.
City Clerk

NICOLE J. BONILLA, M.B.A.
Deputy City Clerk

**A REGULAR MEETING OF THE CITY OF THE MOUNT VERNON CITY COUNCIL
HELD ON WEDNESDAY, SEPTEMBER 25, 2024
Scheduled for 7:00 pm in the City Council Chambers, City Hall, Mount Vernon, New York.**

**** This meeting was held in the City Council Chambers, with virtual participation via ZOOM and CMVNY Facebook. The meeting was not closed to the public.****

PRESIDING: Cathlin B. Gleason, President

OTHERS: Tanesia M. Walters, City Clerk; Nicole J. Bonilla, Deputy City Clerk; Antoinette Anderson, Legislative Aide; Johan Powell, Deputy Corporation Counsel.

CALL TO ORDER / PLEDGE OF ALLEGIANCE

Council President Cathlin B. Gleason called the meeting to order and provided general house-keeping rules, including encouraging citizens to share the meeting on social media and what to do “in case of emergency”. Council President Gleason explained the 3-minute-plus-1 public comment rule. She then asked a Councilperson to lead the council in the Pledge of Allegiance. Council President then proceeded to the Public Speakers session of the evening (listed below as public comment).

PUBLIC COMMENT

REFERRAL SESSION

Roll Call administered by City Clerk Tanesia M. Walters

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

To the Council:

LEGISLATION AND PUBLIC WORKS

1. Management Services: An Ordinance Authorizing the Department of Management Services to Issue a Request for Proposals (RFP) for the Selection of a Vendor to Implement a Municipal Broadband Solution, including Free Public Wi-Fi in Select Locations

Code: LPW

2. Office of the Mayor: An Ordinance Authorizing Three Staff Members from the Mayor's Office to attend the Cities United 11th Annual Convening in Seattle, Washington - (October 1, 2024, to October 4, 2024)

Code: LPW

3. Department of Public Works: An Ordinance Authorizing Budget Line Transfers for the Department of Public Works to Cover Current Negative Balances and Support Future Purchases

Code: LPW

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4. Department of Public Works: An Ordinance Authorizing a Request for Proposal (RFP) for Design and Construction Inspection Services for the Rehabilitation of the S. Fulton Avenue Bridge (BIN 2225220) and East Third Street Bridge (BIN 2225230)

Code: LPW

5. Department of Public Works: An Ordinance Authorizing Emergency Mold Abatement and Repair Services at Station #1, Lincoln Avenue Firehouse

Code: LPW

6. Department of Public Works: An Ordinance Authorizing the Mayor to Commit the Ten Percent (10%) Non-Federal Matching Share for the FEMA Hazard Mitigation Grant Program (HMGP) for the South Third and South Columbus Flood Mitigation Project

Code: LPW

7. Department of Public Works: An Ordinance Amending Ordinance No. 3, adopted by the City Council on June 26, 2024, entitled "AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FOR THE PURCHASE OF A NEW VEHICLE FOR THE DEPARTMENT OF PUBLIC WORKS UTILIZING ARPA FUNDS

Code: LPW

8. Department of Public Works: An Ordinance Authorizing an Emergency Contractual Agreement with PCI Industries, Inc. for Sewer Repair at 656 Hanover Place

Code: LPW

9. Department of Public Works: An Ordinance Authorizing the Mayor to Retroactively enter into an Emergency Contractual Agreement with PCI Industries, Inc. for Emergency Sewer Repairs at 27 Vernon Place

Code: LPW

10. Board of Water Supply: An Ordinance Authorizing the Attendance of Monica Hughes and Milton Vann at the 2024 Catalyst Experience Hosted by Rogue Water Lab

Code: LPW

11. Office of the City Clerk: An Ordinance Authorizing the Transfer of Funds to the 2024 City Council Expense Account for the Purchase of Furniture and Office Supplies

Code: LPW

To the Council:

HUMAN RESOURCES

-
12. Department of Recreation: An Ordinance Authorizing the Mayor to Enter into an Agreement with the Westchester County Office of Senior Programs and Services under the Title III-C-1 & III-C-2 Program (Nutrition), and Estimated III-C-1 & III-C-2 NSIP
Code: HR
 13. Youth Bureau: An Ordinance Authorizing the Mayor to Retroactively Enter into an Agreement with Bedroc Entertainment for Videography Services for the Mount Vernon Youth Bureau Ready4Life Program
Code: HR
 14. Youth Bureau: An Ordinance Authorizing the Mount Vernon Youth Bureau to Hang Banners and Signs at Various Locations to Discourage or Prevent Opioid Misuse
Code: HR
 15. Youth Bureau: An Ordinance Authorizing the Mayor to enter into an Agreement with Flying Classroom for the Mount Vernon Youth Bureau Saturday STEAM Program - (October 5th, 2024, to November 23, 2024, in the amount of \$18,000.00)
Code: HR
 16. City Council: A Resolution of the City Council of the City of Mount Vernon, New York, Recognizing the Commitment and Service of Sidney Duncombe (at YCOP's 2024 Annual Benefit & Recognition Gala)
Code: HR
 17. City Council: A Resolution of the City Council of the City of Mount Vernon, New York Recognizing the Commitment and Service of the Greater Hudson Valley (NY) Chapter of the Links, Incorporated (YCOP's 2024 Annual Benefit & Recognition Gala)
Code: HR
 18. City Council: A Resolution of the City Council of the City of Mount Vernon, New York, Recognizing the Dedication and Service of Linda L. Jacobs (at YCOP's 2024 Annual Benefit & Recognition Gala)
Code: HR
 19. City Council: A Resolution of the City Council of the City of Mount Vernon, New York Recognizing the Service and Leadership of Lieutenant Krista Mann (YCOP's 2024 Annual Benefit & Recognition Gala)
Code: HR
 20. City Council: A Resolution of the City Council of the City of Mount Vernon, New York, Recognizing the Commitment and Service of Amirah Roberts (at YCOP's 2024 Annual Benefit & Recognition Gala)
Code: HR
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21. City Council: A Resolution of the City Council of the City of Mount Vernon, New York, Recognizing the Outstanding Service and Dedication of Jennifer Vodrazka (at YCOP's 2024 Annual Benefit & Recognition Gala)

Code: HR

22. City Council: A Resolution of the City Council of the City of Mount Vernon, New York Recognizing the Contributions and Inspirational Legacy of Loretta J. Hottinger (YCOP's 2024 Annual Benefit & Recognition Gala)

Code: HR

23. City Council: A Resolution of the City Council of the City of Mount Vernon, New York Recognizing the Service and Commitment of The Very Right Reverend Derrick Adams to the Office of Bishop-Designate

Code: HR

To the Council:

PUBLIC SAFETY AND CODES

24. Department of Buildings: An Ordinance Authorizing the Department of Buildings to Solicit a Request for Proposal (RFP) for Outside Contract Services for Fire Safety and Property Maintenance Inspections of Multi-Dwelling and Nonresidential Properties

Code: PSC

25. Industrial Development Agency (IDA): An Ordinance Granting Permission to the Mayor to Enter into an Agreement with Consolidated Edison Company ("Con Edison") to Conduct a Test Borehole for the Thermal Energy Network Pilot Project at the Doles Recreation Center

Code: PSC

26. Department of Public Safety: An Ordinance Authorizing the Mayor to Enter into an Inter-Municipal Agreement with the County of Westchester for Replacement of the Current Single-Band VHF Antenna with a Tri-Band Antenna at the Mount Vernon Police Headquarters

Code: PSC

27. Department of Public Safety: An Ordinance Authorizing the Mayor to Enter into an Inter-Municipal Agreement with the County of Westchester to Accept Mutual Aid Radios for Use by the Mount Vernon Police Department

Code: PSC

28. Department of Public Safety: An Ordinance Authorizing the Increase in Funding for the Position of Personnel Associate in the Department of Public Safety and Reappropriating Funds from a Vacated Position (formerly titled as Personnel Specialist).

Code: PSC

NOT ADOPTED
 29. Department of Public Safety: An Ordinance Authorizing the Mayor to Enter into a Renewal Contract Agreement with the New York State Department of Agriculture and Markets for Fuel Inspection and Testing Services

Code: PSC

30. Department of Public Safety: An Ordinance Amending Ordinance No. 45, adopted by the City Council on August 14, 2024, entitled "AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ELECTRONIC SYSTEMS SOLUTIONS, INC. (ESS) FOR THE INSTALLATION AND MAINTENANCE OF A CITYWIDE CAMERA SURVEILLANCE SYSTEM"

Code: PSC

31. City Council: A Local Law to Amend Chapter 267 (Zoning) of the Code of the City of Mount Vernon to Regulate Short-Term Rentals

Code: PSC

32. City Council: A Local Law Establishing a Local Government Code Enforcement Program in the City of Mount Vernon, NY

Code: PSC

To the Council:

FINANCE AND PLANNING

No Items

ADD-ON

LEGISLATION AND PUBLIC WORKS

33. City Clerk: A Resolution of the City Council of the City of Mount Vernon, New York Recognizing and Honoring the Service of Borsella & Mastro Auto Collision Specialists

Code: LPW

HELD 34. Office of the Mayor: A Resolution Appointing Commissioners of Deeds for the City of Mount Vernon (Sept 2024 - Sept. 2026)

Code: LPW

35. City Council: A Resolution Authorizing the Appointment of Geeta Morris to the Charter Review Commission to fill a Vacancy, Pursuant to Section 268(G) of the Mount Vernon City Code

Code: LPW

OTHER BUSINESS/CLOSING COMMENTS

AN ORDINANCE AUTHORIZING THE DEPARTMENT OF MANAGEMENT SERVICES TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR THE SELECTION OF A VENDOR TO IMPLEMENT A MUNICIPAL BROADBAND SOLUTION, INCLUDING FREE PUBLIC WI-FI IN SELECT LOCATIONS

Whereas, by letter dated September 19, the Commissioner of the Department of Management Services has requested legislation to issue a Request for Proposals (RFP) for the selection of a qualified vendor to propose and implement a comprehensive Municipal Broadband solution, including the installation of Free Public Wi-Fi at the following city locations; and

Whereas, the City of Mount Vernon recognizes the growing need for reliable and accessible internet services for its residents, businesses, and visitors, especially in public areas; and

Whereas, implementing a Municipal Broadband solution and providing Free Public Wi-Fi will support the City's goals to enhance digital connectivity, promote economic development, and provide equitable internet access to all members of the community; and

Whereas, the Office/Department of Management Services has identified an initial set of public locations, including two parking structures, nine city parks, and three locations in the business district, as optimal sites for the installation of Free Public Wi-Fi; and

Whereas, the funding for this project will be provided through the American Rescue Plan Act (ARPA) broadband and connectivity budget funds, specifically allocated for investments in broadband infrastructure; and

Whereas, issuing a Request for Proposals (RFP) is necessary to identify a qualified vendor capable of designing, implementing, and maintaining a sustainable, reliable, and flexible Municipal Broadband solution; and

Whereas, the City aims to initiate the RFP process on or before October 8, 2024, to finalize a contract by October 31, 2024, to ensure prompt utilization of ARPA funds and timely execution of the project; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. Authorization to Issue Request for Proposals (RFP). The Department of Management Services is authorized to issue a Request for Proposals (RFP) to select a vendor to propose and implement a comprehensive Municipal Broadband solution for the City of Mount Vernon. The RFP will focus on implementing a Free Public Wi-Fi system at select public locations, as Section 2 of this Ordinance outlines.

Section 2. Selected Locations for Free Public Wi-Fi Implementation. The Free Public Wi-Fi system shall be implemented at the following locations:

Parking Lots:

1. **Lot #8** - North 3rd Avenue between Sidney and Prospect Avenues
 - o Approximate total floor area: 1,400 sq ft - (four (4) floors)
 - o Latitude: - 40.91330398
 - o Longitude: -73.83706393
2. **Lot #9** - Stevens Avenue between 5th Avenue and Wilson Place
 - o Approximate total floor area: 1,000 sq ft - (three (3) floors)
 - o Latitude: - 40.91188831
 - o Longitude: -73.83870361

City-Owned Parks – Locations):

1. **Brush Park**
 - o Latitude: - 40.89882164
 - o Longitude: -73.82944748
2. **Fleetwood Playground**
 - o Latitude: - 40.92658371
 - o Longitude: -73.83665848
3. **Howard Street Playground**
 - o Latitude: - 40.91687584
 - o Longitude: -73.84350261
4. **4th Street Park**
 - o Latitude: - 40.90385378
 - o Longitude: -73.8376792
5. **Hartley Park**
 - o Latitude: - 40.91684964
 - o Longitude: -73.83639036
6. **Heavy D Playground**
 - o Latitude: - 40.91238388
 - o Longitude: - 73.82242857
7. **Leo Man Playground**
 - o Latitude: - 40.920269
 - o Longitude: -73.81891252
8. **Chester Heights**
 - o Latitude: - 40.92386502
 - o Longitude: -73.81260616
9. **Oakwood Heights**
 - o Latitude: - 40.91463168
 - o Longitude: -73.81725561

Business District Locations:

Street	Latitude	Longitude
4 th Avenue	TBD (Based on site survey)	TBD (Based on site survey)
Sanford Boulevard	TBD (Based on site survey)	TBD (Based on site survey)
Gramatan Avenue	TBD (Based on site survey)	TBD (Based on site survey)

Section 3. Scope of the RFP. The RFP shall seek to identify a vendor that can:

1. Propose a comprehensive Municipal Broadband solution focusing on long-term sustainability, reliability, and scalability.
2. Design and implement a Free Public Wi-Fi system at the selected locations, ensuring sufficient bandwidth, security, and ease of access for users.
3. Provide ongoing maintenance and support for the system.
4. Work with the City of Mount Vernon to ensure that the project complies with state and federal regulations and that all funding deadlines are met.
5. Meet the project timeline, starting with the finalization of a contract by October 31, 2024.

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Section 4. Funding. The project will be funded through ARPA broadband and connectivity budget funds, specifically allocated to enhance broadband infrastructure in the City of Mount Vernon. No additional city funds will be required for this phase of the project.

Section 5. Timeline. The RFP process shall be initiated on or before October 8, 2024, to select a vendor and finalize a contract by October 31, 2024. This timeline ensures that the project is executed promptly and that ARPA funds are utilized within the designated timeframe.

Section 6. Effective Date. This Ordinance shall take effect immediately upon passage and approval by the City Council.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

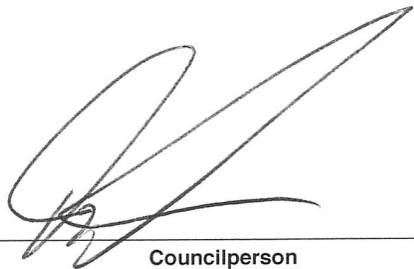
Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

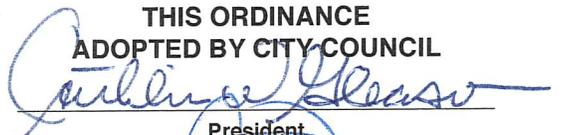

Assistant Corporation Counsel
Deputy

APPROVED
Dept. _____



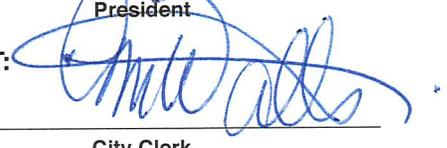
Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**



President

ATTEST:



City Clerk

**APPROVED
SEP 26 2024**

Date

By _____
Mayor

SEP 11 2024

2
NOT
ADOPTED

AN ORDINANCE AUTHORIZING THREE STAFF MEMBERS FROM THE MAYOR'S OFFICE TO ATTEND THE CITIES UNITED 11TH ANNUAL CONVENING IN SEATTLE, WASHINGTON

SEP 25 2024

2

Whereas, by letter dated August 8, 2024, the Mayor has requested legislation authorizing three staff members from the Mayor's Office (Chief of Staff, Malcolm Clark, Director of Constituent Services, Eric Crump, and Director of Neighborhood Safety and Engagement, Tajean Turnier) to attend the Cities United 11th Annual Convening in Seattle, Washington, from October 1, 2024, to October 4, 2024; and

Whereas, the Cities United 11th Annual Convening will take place from October 1, 2024, through October 4, 2024, in Seattle, Washington, and offers a vital opportunity for city leaders to develop or refresh a comprehensive public safety plan that is grounded in equity, social justice, collaboration, innovation, and youth voice; and

Whereas, the Convening will include engaging plenary and breakout sessions, vendor showcases, interactive site visit tours, dedicated networking events, and a Sneaker Ball & Awards Ceremony; and

Whereas, it is in the best interest of the City of Mount Vernon for three staff members from the Mayor's Office to attend this Convening to gain insights and strategies that can benefit the city's public safety efforts; and

Whereas, the total estimated cost for the trip, including travel, hotel, and registration expenses, will not exceed \$6,000.00, with \$5,000.00 to be expensed from the Mayor's Office Budget Line A1210.402 (Travel) and \$750.00 for registration; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Definitions.

For the purposes of this ordinance, the following terms shall be defined as:

- **"Convening"** - the Cities United 11th Annual Convening to be held in Seattle, Washington, from October 1, 2024, to October 4, 2024.
- **"Staff Members"** - the three designated employees from the Mayor's Office who will attend the Convening are: (Chief of Staff, Malcolm Clark, Director of Constituent Services, Eric Crump, and Director of Neighborhood Safety and Engagement, Tajean Turnier).
- **"Budget Line A1210.402"** - the designated budget code for travel expenses from the Mayor's Office Budget.

Section 2. Authorization to Attend Convening. The City Council authorizes three staff members from the Mayor's Office to attend the Cities United 11th Annual Convening in Seattle, Washington, from October 1, 2024, to October 4, 2024.

Section 3. Funding and Expenses. The estimated travel and hotel expenses shall not exceed \$5,000.00 and will be expensed from the Mayor's Office Budget Line A1210.402 (Travel). The estimated cost for registration is \$750.00. The total cost for the trip shall not exceed \$6,000.00.

2

SEP 11 2024

2

NOT ADOPTED

Section 4. Purpose and Outcome. Attending the Convening aims to gain valuable insights and strategies to develop or refresh a comprehensive public safety plan that is equitable, just, collaborative, innovative, and incorporates youth voice, to better serve the City of Mount Vernon.

Section 5. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

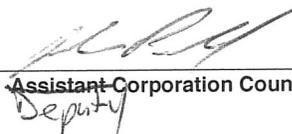
SEP 25 2024

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Vote Taken As Follows: 9/25/2024
Boxhill: Yea Brown: Nay
Poteat: Yea Thompson: Yea
Gleason: Nay Ordinance Adopted

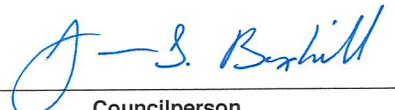
Vote Taken As Follows: 9/11/2024
Boxhill: Yea Brown: Nay
Poteat: Yea Thompson: Yea
Gleason: Nay Ordinance Not Adopted

APPROVED AS TO FORM



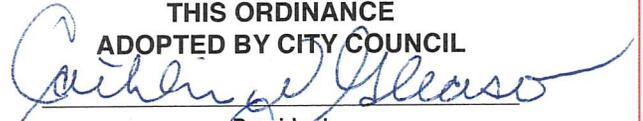
Assistant Corporation Counsel
Deputy

APPROVED
Dept. _____

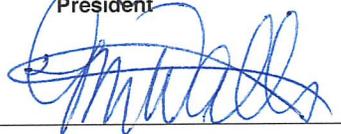


Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL

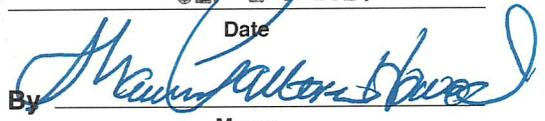


President

ATTEST: 

City Clerk

APPROVED
SEP 26 2024
Date



By Mayor

SEP 25 2024

3

AN ORDINANCE AUTHORIZING BUDGET LINE TRANSFERS FOR THE DEPARTMENT OF PUBLIC WORKS TO COVER CURRENT NEGATIVE BALANCES AND SUPPORT FUTURE PURCHASES

Whereas, by letter dated August 5, 2024, the Commissioner of the Department of Public Works ("DPW") has requested legislation authorizing the following budget transfers shown in the Chart below; and

Whereas, the Department of Public Works of the City of Mount Vernon has identified negative balances in specific budget lines that require immediate adjustment to continue essential operations; and

Whereas, there is a need to transfer funds between various budget lines to cover current deficits and future departmental purchases, thereby ensuring the continued functionality of DPW services and meeting the financial needs of the department; and

Whereas, these budget transfers are necessary to support the financial management of DPW and the city's broader needs, in accordance with sound fiscal responsibility; Now, Therefore, Be It Resolved That

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. Authorization of Budget Transfers. The following budget transfers are hereby authorized for the Department of Public Works:

Table with 4 columns: FROM, AMOUNT, TO, AMOUNT. It lists budget transfers from Motor Vehicle Control (Gas, Diesel, Fuel) and Highway Maintenance & Repairs to Motor Vehicle Control (Car Wash, Other Expense), Christmas Decorations, and Building Maintenance (Materials & Supplies).

Section 2. Purpose of Transfers. These transfers allocate funds within the Department of Public Works to address current negative balances and ensure funding is available for upcoming expenses, including, but not limited to, vehicle-related services, street maintenance, and necessary supplies for building maintenance.

Section 3. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Councilperson signature

APPROVED AS TO FORM

Assistant Corporation Counsel signature

THIS ORDINANCE ADOPTED BY CITY COUNCIL

President signature

ATTEST:

City Clerk signature

APPROVED

SEP 26 2024

Date

Mayor signature

APPROVED

Dept.

Vote Taken As Follows: 9/25/2024
Boxhill: Yea Brown: Yea
Poteat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted

3

4

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR DESIGN AND CONSTRUCTION INSPECTION SERVICES FOR THE REHABILITATION OF THE S. FULTON AVENUE BRIDGE (BIN: 2225220) AND E. 3RD STREET BRIDGE (BIN: 2225230)

Whereas, by letter dated September 5, 2024, the Commissioner of the Department of Public Works (“DPW”) has requested legislation authorizing the issuance of a Request for Proposal (RFP) seeking qualified engineering firms to provide Design and Construction Inspection Services for the rehabilitation of the S. Fulton Avenue Bridge (BIN: 2225220) and ~~E. 3rd Street Bridge (BIN: 2225230)~~; and

Whereas, the City of Mount Vernon is committed to ensuring the safety and reliability of its infrastructure for both vehicular and pedestrian traffic; and

Whereas, the S. Fulton Avenue Bridge (BIN: 2225220) and ~~E. 3rd Street Bridge (BIN: 2225230)~~ are critical components of the City’s transportation network, serving as main thoroughfares for vehicular and pedestrian traffic; and

Whereas, the current condition of these bridges, including structural deficiencies identified through several Red Flag Violations from the New York State Department of Transportation (NYSDOT), necessitates comprehensive rehabilitation to enhance safety measures and improve functionality; and

Whereas, over the past twelve (12) months, the City of Mount Vernon has completed debris removal underneath these structures to allow for a full inspection in preparation for upcoming engineering reports; and

Whereas, the rehabilitation project for these bridges is eligible for reimbursable funding through the NYSDOT BridgeNY Program, providing a vital opportunity for the City to enhance its infrastructure with financial support from the State; and

Whereas, it is necessary to engage a qualified engineering firm to provide Design and Construction Inspection Services to ensure the rehabilitation project is designed, regulated, and constructed in a manner that meets all safety and legal standards; and

Whereas, issuing a Request for Proposals (RFP) will allow the City to solicit proposals from experienced engineering firms capable of meeting the specific requirements of this project; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1: Authorization to Release RFP. The City Council of the City of Mount Vernon hereby authorizes the issuance of a Request for Proposals (RFP) seeking qualified engineering firms to provide Design and Construction Inspection Services for the rehabilitation of the S. Fulton Avenue Bridge (BIN: 2225220) and ~~E. 3rd Street Bridge (BIN: 2225230)~~.

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Section 2. Scope of Services. The selected engineering firm shall be responsible for:

- Conducting a comprehensive assessment of the current condition of the bridges;
- Designing the necessary improvements to address structural deficiencies, enhance safety, and improve functionality;
- Providing construction inspection services throughout the rehabilitation process to ensure compliance with all regulatory requirements;
- Overseeing the successful completion of the project in accordance with industry standards and best practices.

Section 3. Funding. This project is eligible for reimbursable funding through the NYSDOT BridgeNY Program, and payments for services rendered under the resulting contract shall be sourced from said program.

Section 4. Procurement Policy Compliance. The RFP process shall comply with all state and local procurement policies and procedures to ensure transparency, accountability, and the selection of the most qualified firm for this critical infrastructure project.

Section 5. Timeline. The Mayor and Department of Public Works shall take all necessary steps to issue the RFP, review proposals, and select a qualified engineering firm in a timely manner to move forward with the rehabilitation project as soon as possible.

Section 6. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

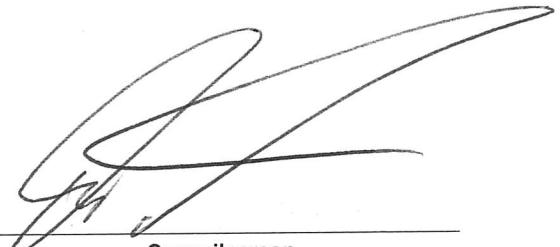
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM



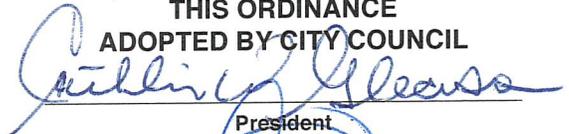
 Assistant Corporation Counsel
Deputy

 APPROVED
 Dept. _____



 Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL



 President

ATTEST:



 City Clerk

APPROVED

SEP 28 2024

Date



 By Mayor

**AN ORDINANCE AUTHORIZING EMERGENCY
MOLD ABATEMENT AND REPAIR SERVICES
AT STATION #1, LINCOLN AVENUE FIREHOUSE**

Whereas, by letter dated September 17, 2024, the Commissioner of the Department of Public Works has requested legislation authorizing the Mayor to enter into a contract with Magna Dry Restoration Services for mold abatement and emergency repairs at Station #1, Lincoln Avenue Firehouse; and

Whereas, a severe water leak at Station #1, Lincoln Avenue Firehouse has caused extensive damage, particularly to the Commissioner's Office and the Fire Prevention Offices, leading to the relocation of key personnel and services; and

Whereas, an inspection has revealed significant mold growth and structural concerns that must be addressed immediately to ensure the safety and operational continuity of the firehouse; and

Whereas, the Public Employee Safety and Health (PESH) Bureau has cited the firehouse for violations related to these conditions, necessitating immediate action to comply with health and safety regulations; and

Whereas, the Department of Public Works has recommended Magna Dry Restoration Services, a reputable contractor located in the City of Mount Vernon, to perform the mold abatement and emergency repair services; and

Whereas, this emergency repair work qualifies as an emergency purchase under Section 6, Items Excepted from Policies and Procedures by the City Council, as it presents an immediate threat to public health, safety, and property; and

Whereas, the estimated cost of the emergency contract is \$85,260.54, with funding available via ARPA - H1620.203.C930 - City Owned Property Capital Projects Covid & Operational Compliance; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1: Authorization of Emergency Contract. The City Council hereby authorizes the Mayor to enter into a contract with Magna Dry Restoration Services for mold abatement and emergency repairs at Station #1, Lincoln Avenue Firehouse.

Section 2. Scope of Work. Magna Dry Restoration Services shall perform the following services as part of the emergency contract:

1. Complete mold abatement in all affected areas of the firehouse.
2. Emergency repairs to address water damage and prevent further deterioration.
3. Ensure compliance with all health and safety regulations as PESH standards require.

Section 3. Funding. The total cost of the emergency contract is \$85,260.54, to be funded through ARPA - H1620.203.C930 (City Owned Property Capital Projects Covid & Operational Compliance).

5

Section 4. Declaration of Emergency. Under Section 6, Items Excepted from Policies and Procedures by the City Council, this situation is declared an emergency due to its immediate threat to public health, safety, and property. Delays in addressing the mold and structural issues could further threaten the health, safety, and welfare of City personnel and the public.

Section 5. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Nay Thompson: Yea

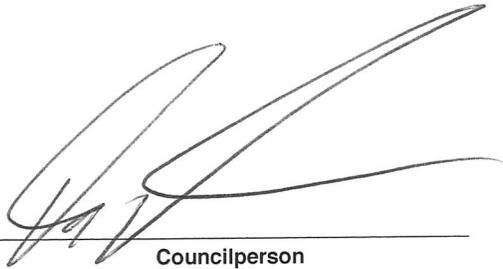
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM



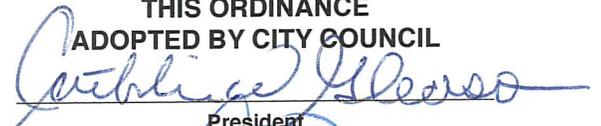
Assistant Corporation Counsel
Deputy

APPROVED
Dept. _____



Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**

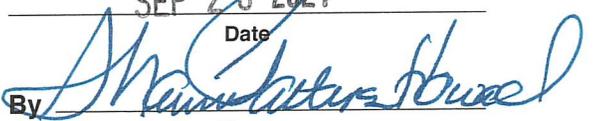


President

ATTEST: 

City Clerk

APPROVED
SEP 26 2024
Date



By _____
Mayor

6

**AN ORDINANCE AUTHORIZING THE MAYOR TO
COMMIT THE TEN PERCENT (10%) NON-FEDERAL
MATCHING SHARE FOR THE FEMA HAZARD
MITIGATION GRANT PROGRAM (HMGP) FOR
THE SOUTH THIRD & SOUTH COLUMBUS
AVENUE FLOOD MITIGATION PROJECT**

Whereas, by letter dated September 17, 2024, the Commissioner of the Department of Public Works has requested legislation authorizing Mayor Shawyn Patterson-Howard to commit the required ten percent (10%) non-federal matching share of \$95,000 as part of the total funding for the FEMA Hazard Mitigation Grant Program (HMGP) for the South Third & South Columbus Avenues Flood Mitigation Project; and

Whereas, the City of Mount Vernon has been awarded a grant under the Hazard Mitigation Grant Program (HMGP) by the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) Region 2, on October 10, 2023, for the South Third & South Columbus Avenues Flood Mitigation Project; and

Whereas, the FEMA-HMGP grant provides funding in an amount not to exceed \$950,000 in federal funds for the approved Scope of Work (SOW) to address the flood mitigation needs at South Third and South Columbus Avenues, which includes the engagement of an engineering firm to prepare an engineering report recommending technical solutions for flood mitigation; and

Whereas, this project aims to mitigate the flooding caused by the rising of the Canal post-High Tide events and will result in a future FEMA mitigation application, ensuring consideration of environmental and historical resources as part of the engineering study; and

Whereas, as a condition of receiving the federal grant funds, the City of Mount Vernon is required to provide a ten percent (10%) non-federal matching share in the amount of \$95,000; and

Whereas, the New York State Environmental Facilities Corporation (EFG) has confirmed that the City's matching share of \$95,000 will be covered by New York State's \$150 million funding commitment to the City of Mount Vernon, which is administered by EFG; and

Whereas, it is necessary for the City Council to authorize the Mayor of the City of Mount Vernon to commit the requisite non-federal matching share to secure the FEMA-HMGP funds and move forward with the flood mitigation project; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization to Commit Matching Funds. The City Council hereby authorizes Mayor Shawyn Patterson-Howard to commit the required ten percent (10%) non-federal matching share of \$95,000 as part of the total funding for the FEMA Hazard Mitigation Grant Program (HMGP) for the South Third & South Columbus Avenues Flood Mitigation Project.

Section 2. Source of Matching Funds. The matching share of \$95,000 shall be provided by the New York State Environmental Facilities Corporation (EFG) through the State's \$150 million funding commitment to the City of Mount Vernon. Due to this commitment, no additional financial burden will be imposed on the City of Mount Vernon's budget.

6

6

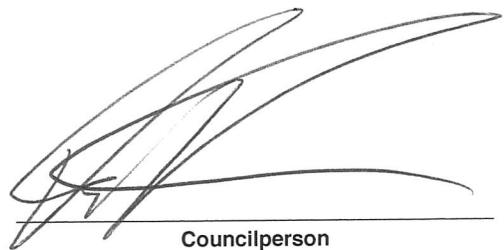
Section 3. Scope of Work and Implementation. The authorized grant funds, including the non-federal matching share, will be used to engage an engineering firm to complete a comprehensive engineering report recommending technical solutions to mitigate the flooding at South Third & South Columbus Avenues. Upon completion of the engineering study, the Department of Public Works will implement the recommended interventions to address the flood risks in the area.

Section 4. Future FEMA Mitigation Application. The City of Mount Vernon shall submit a future FEMA mitigation application based on the engineering report to address further the long-term flood mitigation needs of the South Third & South Columbus Avenues area.

Section 5. Compliance with Regulatory Requirements. The City of Mount Vernon shall ensure that all project activities comply with all federal, state, and local laws, including environmental and historic preservation regulations, as part of the project's **Advance Assistance (AA)** scope.

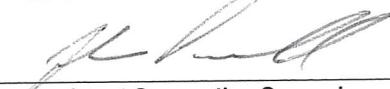
Section 6. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/25/2024
Boxhill: Yea Browne: Yea
Poteat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted



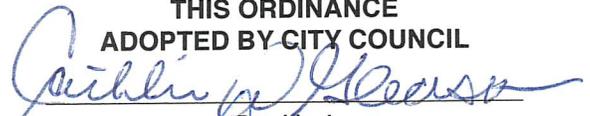
Councilperson

APPROVED AS TO FORM



Assistant Corporation Counsel
Deputy

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**



President

ATTEST:



City Clerk

**APPROVED
SEP 26 2024**



Date
By _____
Mayor

APPROVED
Dept. _____

6

7

**AN ORDINANCE AMENDING ORDINANCE NO. 3,
ADOPTED BY THE CITY COUNCIL ON JUNE 26,
2024, ENTITLED “AN ORDINANCE AUTHORIZING THE
TRANSFER OF FUNDS FOR THE PURCHASE OF
A NEW VEHICLE FOR THE DEPARTMENT
OF PUBLIC WORKS UTILIZING ARPA FUNDS”**

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. The first decretal paragraph and the 5th Whereas paragraph of Ordinance No. 3, adopted on June 26, 2024, entitled AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FOR THE PURCHASE OF A NEW VEHICLE FOR THE DEPARTMENT OF PUBLIC WORKS UTILIZING ARPA FUNDS” is hereby amended as follows:

Whereas, by letter dated [May 20, 2024] September 16, 2024, the Commissioner of the Department of Public Works has requested legislation to amend Ordinance No. 3, adopted by the City Council on June 26, 2024, permission to transfer funds to cover the purchase of a new vehicle using ARPA funds; and

Whereas, the current 2017 Chevrolet Tahoe has become increasingly problematic and unreliable due to frequent engine failures, transmission problems, and electrical system issues; and

Whereas, it is in the best interest of the Department and the Commissioner to purchase a new vehicle to ensure the completion of daily operations and the safety of the Commissioner; and

Whereas, the Department of Public Works plans to discontinue the currently owned 2017 Chevrolet Tahoe from service, remove all emergency lights, and list it on Muncibid.com to recoup monies as per the current resale value of the vehicle; and

Whereas, the Department of Public Works has selected [National Auto Fleet Group (Sourcewell Contract #091521-NAF)] Mount Kisco Chevrolet (Westchester County Contract – RFB-WC-19092) for the purchase of the new vehicle at an anticipated total cost of [~~\$75,005.00~~] \$72,382.50; and

Whereas, the following budget line transfer is necessary to cover the purchase of this vehicle utilizing ARPA funds:

FROM:	AMOUNT:	TO:	AMOUNT:
H8140.203 C932 ARPA (Clean Water: Stormwater - Stormwater Sewer Rehabilitation & Flood Mitigation) - \$263,716.00, available)	\$75,005.00	A1640.203APR (ARPA Revenue, Reduction: Government Services - DPW SUVs)	\$75,005.00

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, NEW YORK:

Section 1. Authorization. The City Council hereby authorizes the transfer of funds from H8140.203 C932 ARPA (Clean Water: Stormwater - Stormwater Sewer Rehabilitation & Flood Mitigation) to A1640.203APR (ARPA Revenue, Reduction: Government Services - DPW SUVs) to cover the purchase of a new vehicle for the Department of Public Works.

7

7

Section 2. Cost. The total cost of the new vehicle purchase shall not exceed \$75,005.00

Section 3. 2024 Budget. The Department of Public Works shall discontinue the currently owned 2017 Chevrolet Tahoe from service, remove all emergency lights, and list it on Municibid.com to recoup monies as per the current resale value of the vehicle.

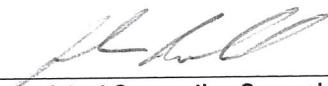
Section 4. Implementation. The Department of Public Works shall oversee the procurement of the new vehicle through the National Auto Fleet Group (Sourcewell Contract #091521-NAF).

Section 5. Effective Date. This ordinance shall take effect upon its approval by the Board of Estimate & Contract.

New matter underlined
Deleted matter in brackets []

Vote Taken As Follows: 9/25/2024
Boxhill: Yea Browne: Nay
Poteat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM



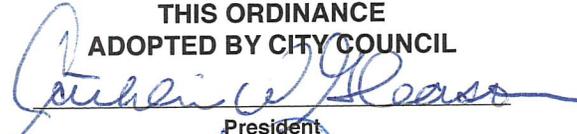
Assistant Corporation Counsel
Deputy

APPROVED
Dept. _____



Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**

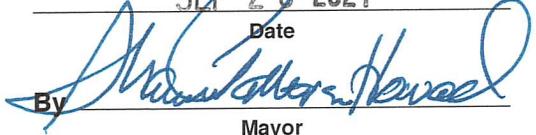


President

ATTEST: 

City Clerk

APPROVED
SEP 26 2024



Date
Mayor

**AN ORDINANCE AUTHORIZING AN
EMERGENCY CONTRACTUAL AGREEMENT
WITH PCI INDUSTRIES, INC. FOR SEWER
REPAIR AT 656 HANOVER PLACE**

Whereas, by letter dated September 17, 2024, the Commissioner of the Department of Public Works has requested legislation authorizing the Mayor to enter into an emergency contractual agreement with PCI Industries, Inc. to conduct sewer repairs at 656 Hanover Place; and

Whereas, a critical health hazard has emerged at 656 Hanover Place due to a sewer backup caused by an obstruction that City equipment could not remove, creating an immediate threat to public health and safety; and

Whereas, the Department of Public Works determined that immediate emergency repairs were necessary to restore proper sanitary and stormwater sewer function and contracted PCI Industries, Inc. to perform the required repairs; and

Whereas, the repairs included the removal of the obstruction, trench excavation, replacement of damaged sanitary and stormwater sewer pipes, and securing the area for final surface restoration by Con-Edison; and

Whereas, the total cost of this emergency repair is \$72,206.12, with funding available via the EFG \$5,000,000 Emergency Grant, H8120.203.C934 (Sanitary Sewer), and H8140.203.C935 (Stormwater); and

Whereas, pursuant to Section 6 of the City Council's policies and procedures, emergency purchases are permitted when an occurrence presents an immediate threat to life, safety, health, welfare, or property of residents, or when an essential service to the public is at risk of being curtailed or terminated; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. Authorization of Emergency Contract with PCI Industries, Inc. The City Council hereby authorizes the Mayor to enter into an emergency contractual agreement with PCI Industries, Inc. to conduct sewer repairs at 656 Hanover Place.

Section 2. Scope of Work. PCI Industries, Inc. performed the following emergency repairs:

1. **Location:** Intersection near Hanover and Station Places.
2. **Trench Dimensions:** 40 feet long, 5 feet wide, and 8 feet deep.
3. **Hand Excavation:** Locate gas and water services and install sheeting.
4. **Damage Identified:**
 - 12-inch vitrified clay pipe for stormwater sewer, located 5 feet below the surface.
 - 8-inch vitrified clay pipe for sanitary sewer, located 6 feet below the surface.
5. **Repairs Completed:**
 - Installed 40 linear feet of 8-inch SDR pipe for the sanitary sewer.
 - Installed six linear feet of 12-inch SDR pipe for the stormwater sewer.

8

6. **Final Steps:** Backfill the trench to the location of the gas main and leave the trench with three steel plates for Con-Edison to complete their work. Con-Edison will complete final surface restoration.

Section 3. Funding. The total cost of the emergency repairs is \$72,206.12, with funding available from the following sources:

- EFG \$5,000,000 Emergency Grant.
- H8120.203.C934 (Sanitary Sewer).
- H8140.203.C935 (Stormwater).

Section 4. Declaration of Emergency. The City Council declares that the sewer backup circumstances at 656 Hanover Place qualify as an emergency under Section 6 of City Council Policies and Procedures. Delaying this work would threaten public health and safety and could lead to further damage to public property.

Section 5. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/25/2024
 Boxhill: Yea Browne: Yea
 Poteat: Yea Thompson: Yea
 Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

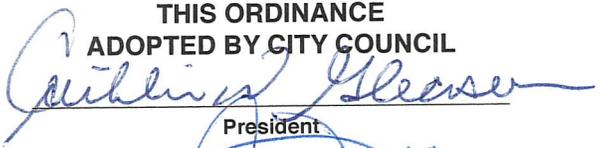


 Assistant Corporation Counsel
 Deputy



 Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL



 President

ATTEST:

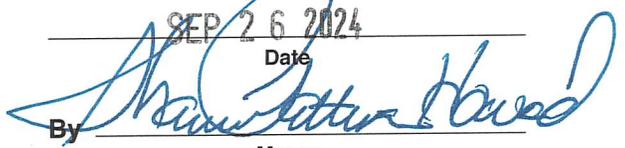


 City Clerk

APPROVED

SEP 26 2024

Date



 By _____
 Mayor

 APPROVED
 Dept. _____

8

9

AN ORDINANCE AUTHORIZING THE MAYOR TO RETROACTIVELY ENTER INTO AN EMERGENCY CONTRACTUAL AGREEMENT WITH PCI INDUSTRIES, INC. FOR EMERGENCY SEWER REPAIRS AT 27 VERNON PLACE

Whereas, by letter dated September 17, 2024, the Department of Public Works Commissioner requested legislation authorizing the Mayor to retroactively enter into an emergency contractual agreement with PCI Industries, Inc., to complete emergency sewer repairs at 27 Vernon Place. The total cost of this repair shall not exceed \$89,860.79; and

Whereas, an immediate public health hazard has emerged at 27 Vernon Place, located at the intersection of Grandview and Vernon Place, due to a sewer backup caused by an obstruction that could not be cleared using city equipment, presenting a direct threat to the safety, health, and welfare of the residents; and

Whereas, the City of Mount Vernon contracted with PCI Industries, Inc. to perform the necessary emergency repairs to the sanitary and stormwater sewers at this location to eliminate the obstruction and restore proper sewer functionality; and

Whereas, the emergency repairs included the following scope of work:

- **Trench Dimension:** 14 feet long, 4.5 feet wide, and 8 feet deep
- **Damage:**
 - 12-inch vitrified clay pipe for stormwater sewer located 7 feet below the surface
 - 8-inch vitrified clay pipe for sanitary sewer located 8 feet below the surface
- **Repairs Completed:**
 - Installation of 7 linear feet of 8-inch SOR pipe for the sanitary sewer
 - Installation of 14 linear feet of 12-inch SOR pipe for the stormwater sewer
- **Final Steps:** Backfilled the trench regraded the asphalt surface; and

Whereas, Section 6, Item B of the City of Mount Vernon’s Procurement Policy allows for emergency purchases when an occurrence presents an immediate threat to public property, life, safety, health, or welfare of the residents or public, and the delay in seeking alternate proposals would increase such risks; and

Whereas, the total associated cost of this emergency repair is \$89,860.79, and the funding for the repair is available through the Environmental Facilities Corporation (EFC) \$5,000,000 Emergency Grant allocated for critical infrastructure projects, with funds to be drawn from:

- H8120.203.C934 (Sanitary Sewer);
- H8140.203.C935 (Stormwater); and

Whereas, the City Council finds that retroactive authorization of this emergency contractual agreement is necessary to protect the health and safety of the City’s residents and ensure the continued operation of essential public services; **Now, Therefore, Be It Resolved That**

9

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Retroactive Authorization for Contract. The City Council hereby authorizes the Mayor to retroactively enter into an emergency contractual agreement with PCI Industries, Inc., to complete emergency sewer repairs at 27 Vernon Place. The total cost of this repair shall not exceed \$89,860.79.

Section 2. Funding. Funding for this emergency repair will be provided through the Environmental Facilities Corporation (EFC) \$5,000,000 Emergency Grant, with funds allocated from:

- H8120.203.C934 (Sanitary Sewer).
- H8140.203.C935 (Stormwater).

Section 3. Exemption from Procurement Policy. The City Council recognizes that this emergency repair meets the criteria outlined in Section 6, Item B of the City's Procurement Policy, which permits emergency purchases when there is an immediate threat to public health, safety, or property.

Section 4. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

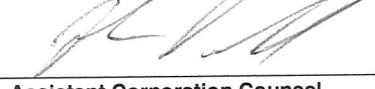
Vote Taken As Follows: 9/25/2024

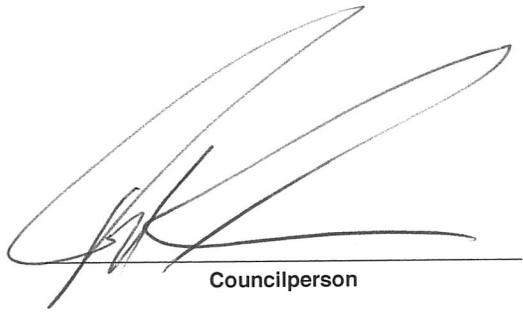
Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

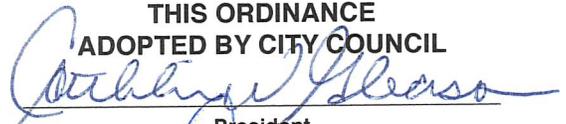
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

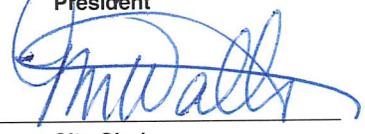

Assistant Corporation Counsel
Deputy


Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL


President

ATTEST:


City Clerk

APPROVED

SEP 26 2024

Date


By
Mayor

APPROVED
Dept. _____

10

AN ORDINANCE AUTHORIZING THE ATTENDANCE OF MONICA HUGHES AND MILTON VANN AT THE 2024 CATALYST EXPERIENCE HOSTED BY ROGUE WATER LAB

Whereas, by letter dated September 17, 2024, the Commissioner of the Board of Water Supply has requested legislation authorizing Monica Hughes, Lead Administrator, and Milton Vann, Lead Service Line Field Coordinator, to attend the 2024 Catalyst Experience hosted by Rogue Water Lab in San Antonio, Texas, from October 16 to October 18, 2024; and

Whereas, the City of Mount Vernon is committed to maintaining a vital leadership role in environmental justice, public health, and water management through its participation in national initiatives such as the Lead Service Line Replacement Initiative, awarded to the City on May 19, 2023, by the Great Lakes and St. Lawrence Cities Initiative; and

Whereas, Monica Hughes, Lead Administrator, and Milton Vann, Lead Service Line Field Coordinator, have been invited to represent Mount Vernon at the 2024 Catalyst Experience, hosted by Rogue Water Lab in San Antonio, Texas, from October 16th to October 18th, 2024; and

Whereas, the 2024 Catalyst Experience will focus on interactive experiences that foster real-world impacts and elevate visibility in strategic communications within the water sector, with conference tracks including:

- How to Build Trust
- The Spectrum of Engagement
- Navigating Difficult Conversations with Communities Through Transparency
- Storytelling and Community Engagement; and

Whereas, this invitation is an acknowledgment of Mount Vernon’s leadership and continued commitment to clean water, environmental justice, equity, and improving the quality of life for all residents, particularly in BIPOC communities; and

Whereas, the Environmental Policy Innovation Center (EPIC) has generously agreed to cover expenses for one attendee, including travel, lodging, and meals, and the registration fee for a second attendee is \$225.00, with additional travel and accommodation costs for this attendee not to exceed \$1,275.00, for a total not exceeding \$1,500.00; and

Whereas, funding for these expenses is available in the Board of Water Supply budget code 001-5 81-581001 (Staff Development & Trainings), ensuring no financial burden on the city’s general fund; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization to Attend Conference. The City Council authorizes Monica Hughes, Lead Administrator, and Milton Vann, Lead Service Line Field Coordinator, to attend the 2024 Catalyst Experience hosted by Rogue Water Lab in San Antonio, Texas, from October 16 to October 18, 2024.

10

Section 2. Costs and Funding. Expenses for one attendee, including travel, lodging, and meals, will be fully covered by the Environmental Policy Innovation Center (EPIC).

- The City will incur costs for the second attendee not to exceed \$1,500.00, covering the registration fee of \$225.00, airline transportation, and hotel accommodations, with funding provided by the Board of Water Supply Budget Code 001-5 81-581001 (Staff Development & Training).

Section 3. Impact and Representation. By attending this conference, Monica Hughes and Milton Vann will represent the City of Mount Vernon, share the city's experiences and achievements in water management and environmental justice, and bring back innovative strategies and insights to benefit the city's continued efforts in these critical areas.

Section 4. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

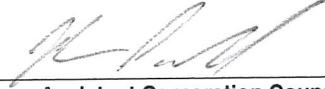
Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

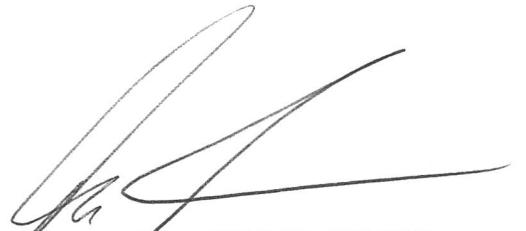
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM



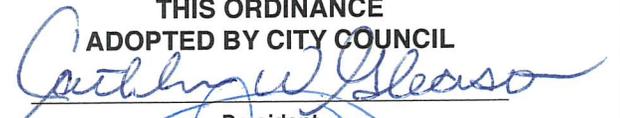
 Assistant Corporation Counsel
 Deputy

APPROVED
 Dept. _____

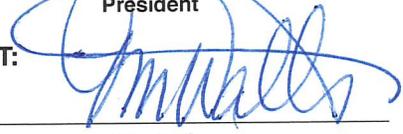


 Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL

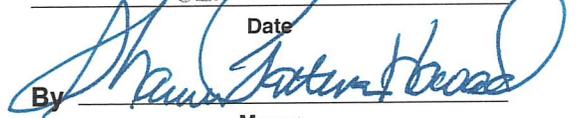


 President

ATTEST: 

 City Clerk

APPROVED SEP 26 2024

 Date
 By 
 Mayor

11

AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS TO THE 2024 CITY COUNCIL EXPENSE ACCOUNT FOR THE PURCHASE OF FURNITURE AND OFFICE SUPPLIES

Whereas, by letter dated September 24, 2024, the City Clerk has requested legislation authorizing the Comptroller to transfer funds from the account shown in the chart below to the City Council Expense Account A1010.401 for the purchase of furniture and other office supplies; and

Whereas, the Office of the City Clerk has identified the need for additional funds to cover the cost of purchasing furniture and other necessary office supplies for the City Council; and

Whereas, the City Council must have the appropriate resources and furnishings to carry out its duties and responsibilities effectively; and

Whereas, funds are available for transfer from other City Council accounts, which are underutilized, to cover these necessary expenses; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. Authorization to Transfer Funds. The City Council of Mount Vernon authorizes the Comptroller to transfer funds to the City Council Expense Account **A1010.401** to purchase furniture and other office supplies.

Section 2. Funding Sources. The funds to be transferred are as follows:

Account Name	Account Number	Amount to be Transferred
CC Education/Training	A1010.417	\$1,000.00

Section 3. Use of Funds. The transferred funds shall be used solely to purchase office furniture and supplies necessary for the City Council's operation.

Section 4. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

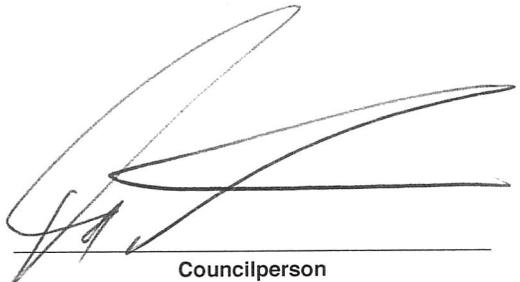
Vote Taken As Follows: 9/25/2024
Boxhill: Yea Browne: Yea
Potat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM



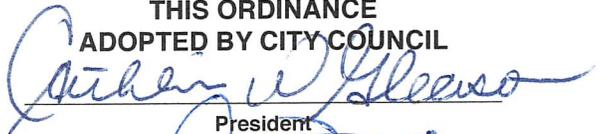
Assistant Corporation Counsel
Deputy

APPROVED
Dept. _____



Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL



President

ATTEST: 

City Clerk

APPROVED
SEP 26 2024

Date



Mayor

11

SEP 11 2024

13

'NOT'
ADOPTED

**AN ORDINANCE AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH THE
WESTCHESTER COUNTY OFFICE OF SENIOR
PROGRAMS AND SERVICES UNDER THE
TITLE IIIC-1 AND IIIC-2 PROGRAM (NUTRITION),
AND ESTIMATED IIIC-1 & IIIC-2 NSIP
(NUTRITION SERVICES INCENTIVE PROGRAM)**

SEP 25 2024

12

Whereas, by letter dated August 27, 2024, the Commissioner of the Department of Recreation has requested legislation authorizing the Mayor of the City of Mount Vernon to enter into an agreement with the Westchester County Office of Senior Programs and Services under the Title IIIC-1 and IIIC-2 Program (Nutrition), and the estimated IIIC-1 & IIIC-2 NSIP (Nutrition Services Incentive Program) for the contract period from January 1, 2024, through December 31, 2024; and

Whereas, the City of Mount Vernon recognizes the importance of providing essential nutritional services to its senior population to promote health and well-being; and

Whereas, the Westchester County Office of Senior Programs and Services, through its Title IIIC-1 and IIIC-2 Program (Nutrition), and the Nutrition Services Incentive Program (NSIP), provides funding to municipalities to support nutrition services for seniors; and

Whereas, the total budget for these programs is allocated as follows:

1. Title IIIC-1 and IIIC-2 (Nutrition):

- o Area Agency Contribution: \$143,035
- o Cost to City: \$ 44,864
- o Total Budget: \$187,899

2. Title IIIC-1 and IIIC-2 (NSIP):

- o Area Agency Contribution: \$20,707
- o Cost to City: \$ -0-
- o Total Budget: \$20,707

Whereas, funds for Title IIIC-1 and IIIC-2 are to be deposited in Revenue Code A4803.1 and appropriation provided for in Budget Code A6774.479; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization to Enter Agreement. The Mayor of the City of Mount Vernon is hereby authorized to enter into an agreement with the Westchester County Office of Senior Programs and Services under the Title IIIC-1 and IIIC-2 Program (Nutrition), and the estimated IIIC-1 & IIIC-2 NSIP (Nutrition Services Incentive Program) for the contract period from January 1, 2024, through December 31, 2024.

Section 2. Budget Allocation. The total budget for the Title IIIC-1 and IIIC-2 (Nutrition) program is \$187,899, with \$143,035 provided by the Area Agency and \$44,864 as the cost to the City. The total budget for the Title IIIC-1 and IIIC-2 (NSIP) program is \$20,707, fully covered by the Area Agency with *no* cost to the City.

12

SEP 11 2024

NOT ADOPTED

Section 3. Revenue and Appropriation. Funds for Title IIC-1 and IIC-2 shall be deposited in Revenue Code A4803.1 and provided for in appropriation in Budget Code A6774.479.

Section 4. Effective Date. This ordinance shall take effect upon its approval by the Board of Estimate & Contract.

SEP 25 2024

12

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Brown: Yea
Poteat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted

Vote Taken As Follows: 9/11/2024

Boxhill: Yea Brown: Abstain
Poteat: Yea Thompson: Yea
Gleason: Abstain Ordinance Not Adopted

APPROVED AS TO FORM

Brian A. Johnson
Assistant Corporation Counsel

Derrick Thompson
Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL

Catherine Gleason
President

ATTEST:

[Signature]
City Clerk

APPROVED

SEP 26 2024

Date

[Signature]
Mayor

APPROVED

Dept. _____

12

13

**AN ORDINANCE AUTHORIZING THE MAYOR
TO RETROACTIVELY ENTER INTO AN
AGREEMENT WITH BEDROC ENTERTAINMENT
FOR VIDEOGRAPHY SERVICES FOR THE MOUNT
VERNON YOUTH BUREAU READY4LIFE PROGRAM**

Whereas, by letter dated September 16, 2024, the Executive Director of the Youth Bureau has requested legislation authorizing the Mayor to retroactively enter into an agreement with Bedroc Entertainment to provide videography services for the Mount Vernon Youth Bureau READY4Life program from July 24, 2024, through December 31, 2024, for an amount not to exceed \$4,500.00; and

Whereas, the Mount Vernon Youth Bureau requires comprehensive videography services to create high-quality content for social media and produce a commercial promoting the READY4Life program to increase recruitment and program visibility; and

Whereas, Bedroc Entertainment has been selected to provide videography services, including content creation, event coverage, and the production of a READY4Life program commercial, from July 24, 2024, through December 31, 2024; and

Whereas, the total cost for the videography services shall not exceed \$4,500.00, with funds available in Budget Code A7335.458; and

Whereas, the delay in submitting required documents from the vendor has resulted in the need for retroactive approval of the agreement; and

Whereas, in an ordinance dated November 12, 2020, the City Council authorized the Mount Vernon Youth Bureau to accept a grant from the Administration of Children and Families / The Office of Family Assistance for the READY4Life program for \$745,235.00 annually for the period of September 1, 2017, through June 30, 2025, totaling \$3,726,175.00 over the grant period; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization to Enter into Agreement. The City Council hereby authorizes the Mayor to retroactively enter into an agreement with Bedroc Entertainment to provide videography services for the Mount Vernon Youth Bureau READY4Life program from July 24, 2024, through December 31, 2024, for an amount not to exceed \$4,500.00.

Section 2. Scope of Services. Bedroc Entertainment shall provide the following services:

1. **Event Videography:** Coverage of key events related to the READY4Life program.
2. **Social Media Content Creation:** Producing high-quality videos tailored for social media platforms to enhance the visibility and engagement of the READY4Life program.
3. **Commercial Production:** Creating a READY4Life program commercial to promote the program and increase recruitment opportunities.
4. **Consultation and Planning:** Collaborating with the Mount Vernon Youth Bureau to outline key messages, scripting, storyboarding, and visuals that effectively communicate the program's objectives.

17

5. **Professional Production:** Utilizing professional-grade cameras, lighting, and sound equipment to capture and produce content of the highest quality.

Section 3. Funding. Bedroc Entertainment's videography services shall not exceed \$4,500.00, with funds allocated from Budget Code A7335.458.

Section 4. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Nay

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

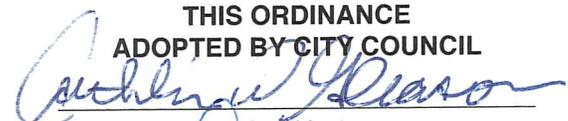
APPROVED AS TO FORM


Assistant Corporation Counsel
Deputy

APPROVED
Dept. _____

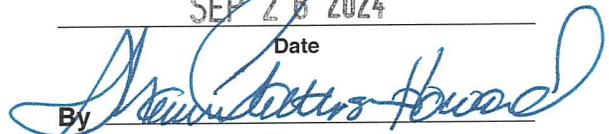

Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL


President

ATTEST: 
City Clerk

APPROVED
SEP 28 2024

Date

Mayor

14

AN ORDINANCE AUTHORIZING THE MOUNT VERNON YOUTH BUREAU TO HANG BANNERS AND SIGNS AT VARIOUS LOCATIONS TO DISCOURAGE OR PREVENT OPIOID MISUSE

Whereas, by letter dated September 18, 2024, the Executive Director of the Youth Bureau has requested legislation authorizing them to hang banners and signs at the following locations listed below within the City of Mount Vernon to discourage or prevent opioid misuse; and

Whereas, the Mount Vernon Youth Bureau (MVYB) has been awarded funds by the Office of Addiction Services and Support (OASAS) to conduct evidence-based activities to combat opioid misuse; and

Whereas, the MVYB intends to use a portion of these funds to hang banners and signs at key locations throughout the City of Mount Vernon to educate the public and discourage opioid misuse, as part of the city's broader effort to promote public health and safety; and

Whereas, in the Ordinance dated February 14, 2024, the City Council approved the acceptance of the OASAS grant for opioid prevention activities totaling \$59,111 for the period of January 1, 2024, through December 31, 2024, with *no costs or burdens* to the City; and

Whereas, the proposed locations for the banners and signs are strategically selected to maximize public visibility and engagement, and include Prospect Avenue and Park Avenue (both sides), City Hall Plaza, Sandford Boulevard (Memorial Field Fence), Hartley Park, and 4th Street Playground; and

Whereas, the banners and signs have been purchased using funds from Budget Code A7330.458, and discussions between the Public Works and Recreation Commissioners have already taken place; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. Authorization to Hand Banners and Signs. The Mount Vernon Youth Bureau (MVYB) is hereby authorized to hang banners and signs at the following locations within the City of Mount Vernon to discourage or prevent opioid misuse:

1. Prospect Avenue and Park Avenue (both sides)
2. City Hall Plaza
3. Sandford Boulevard (Memorial Field Fence)
4. Hartley Park
5. 4th Street Playground

Section 2. Purpose of Banners and Signs. The banners and signs will serve the following purposes:

1. Public education relating to drug disposal.
2. Corrective advertising, campaigns, or affirmative action to inform the public about opioid misuse.
3. Support for drug take-back, disposal, or destruction programs.
4. Promotion of community-based education and support for mental health services for young people.
5. Engagement with non-profits and faith-based communities to support prevention efforts.

24

14

Section 3. Funding and No Cost to the City. The City of Mount Vernon did not incur any costs or burdens when purchasing banners and signs using funds provided by the OASAS grant.

Section 4. Implementation and Coordination. The MVYB shall coordinate with the Department of Public Works and the Department of Recreation to ensure the proper installation and maintenance of the banners and signs.

Section 5. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

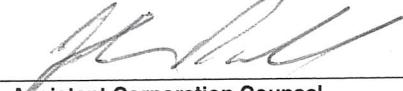
Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

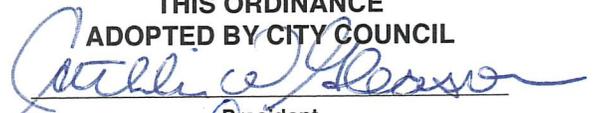
APPROVED AS TO FORM


Assistant Corporation Counsel
Deputy

APPROVED
Dept. _____


Councilperson

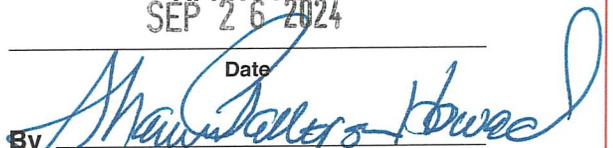
**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**


President

ATTEST:


City Clerk

**APPROVED
SEP 26 2024**

Date

By _____
Mayor

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FLYING CLASSROOM FOR THE MOUNT VERNON YOUTH BUREAU SATURDAY STEAM PROGRAM

Whereas, by letter dated September 18, 2024, the Executive Director of the Youth Bureau has requested legislation authorizing Mayor Shawyn Patterson-Howard to enter into an agreement with Flying Classroom, led by Captain Barrington Irving Technical Training School (BITTS), to provide services for the Mount Vernon Youth Bureau Saturday STEAM Program for the period of October 5, 2024, through November 23, 2024. The total cost of the contract is not to exceed \$18,000.00; and

Whereas, the City of Mount Vernon is committed to providing educational and enrichment opportunities for its youth through the Mount Vernon Youth Bureau; and

Whereas, the Flying Classroom, led by Captain Barrington Irving and his team at the Barrington Irving Technical Training School (BITTS), has developed a program specifically designed to provide engaging and immersive STEM+ Aviation experiences to students in grades 3-6; and

Whereas, this program will equip participating students with essential knowledge in science, technology, mathematics, literacy, and critical skills such as collaboration, critical thinking, communication, and creativity, while offering hands-on design challenges and real-world STEM+ learning opportunities; and

Whereas, the Mount Vernon Youth Bureau Saturday STEAM Program will implement this program for 25 participants, under the supervision of three (3) in-person staff members, in compliance with New York State Office of Children and Family Services (OCFS) guidelines; and

Whereas, the service period for this agreement will run from October 5, 2024, to November 23, 2024, culminating in a mini-STEM + Fest Science Fair to be held in the City Hall Rotunda showcasing the projects and learning outcomes of the participants; and

Whereas, the total cost of the program is \$18,000.00, which will be covered by funds from revenue code A4820 associated with budget code A7316.458, with no matching funds required and at no cost to the City; and

Whereas, the City Council recognizes the value of this educational opportunity for the youth of Mount Vernon and seeks to approve this agreement to support youth development in the community; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. Authorization to enter into Agreement. The City Council hereby authorizes Mayor Shawyn Patterson-Howard to enter into an agreement with Flying Classroom, led by Captain Barrington Irving Technical Training School (BITTS), to provide services for the Mount Vernon Youth Bureau Saturday STEAM Program for the period of October 5, 2024, through November 23, 2024. The total cost of the contract is not to exceed \$18,000.00.

15

Section 2. Scope of Services. The scope of services to be provided under this agreement includes:

- Delivering an immersive STEM+ Aviation program for 25 students in grades 3-6, designed to teach science, technology, mathematics, and literacy while fostering critical skills.
- Providing live virtual sessions and hands-on design challenges aligned with nationally recognized curriculum standards.
- Employing three (3) in-person staff members to facilitate the program in compliance with OCFS guidelines.
- Holding a mini-STEM + Fest Science Fair after the program in City Hall Rotunda to showcase participants' projects.

Section 3. Location and Timeline. The program will occur at 105 Stevens Avenue, lower level, and run for six weeks from October 5, 2024, to November 23, 2024. The final showcase event will be held at the City Hall Rotunda.

Section 4. Funding and Budget. This program's \$18,000.00 funding will be provided from Revenue Code A4820 and Budget Code A7316.458. No matching funds are required, and the City of Mount Vernon will not be financially burdened.

Section 5. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

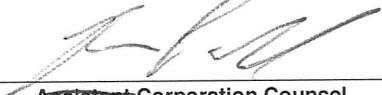
Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

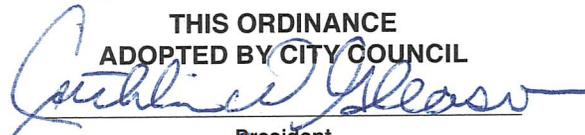
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel
Deputy


Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL

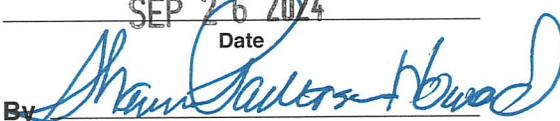

President

ATTEST:


City Clerk

APPROVED

SEP 26 2024
Date


Mayor

APPROVED

Dept. _____

15

16

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MOUNT VERNON, NEW YORK
RECOGNIZING THE COMMITMENT AND
SERVICE OF SIDNEY DUNCOMBE**

Whereas, the great City of Mount Vernon, NY, joins together to recognize the commitment and service of **SIDNEY DUNCOMBE**; and

Whereas, **SIDNEY DUNCOMBE** first came to Y-COP as a camper in 2012. When Sidney aged out as a camper, she became a part of the Counselor in Training Program (CIT) at the agency's summer camp; and

Whereas, **SIDNEY DUNCOMBE** learned firsthand from her mother, a teacher for fifteen years, how to foster a positive and enriching learning environment for children to thrive. Unsurprisingly, Ms. Duncombe chose to seek higher education in Early Childhood. This fall, she will begin her sophomore year at SUNY Cobleskill, where she will undoubtedly combine her formal education with her heart's passion to nurture and expand the minds and lives of the children attending her classroom. Ms. Duncombe aspires to draw from the entrepreneurial spirit of her father and the educator skills of her mother to one day open her own daycare center; and

Whereas, she fully believes in *Proverbs 22:6* which reads, "*Train up a child in the way he should go; and when he is old, he will not depart from it*"; and

Whereas, we are proud that Ms. Duncombe is being honored tonight by Y-COP with the **Roslyn Edwards Memorial Youth of the Year Award** for her outstanding dedication, leadership, and service to our community; **Now, Therefore, be it**

Resolved, that the City Council joins with the citizens of the City of Mount Vernon, NY, and the Y-COP family in recognition of **SIDNEY DUNCOMBE** for her commitment to making a positive impact in the lives of others, mainly through her volunteer efforts, that is an inspiration to all. Her exceptional efforts have truly exemplified the values of our beloved Roslyn Edwards. Ms. Duncombe, thank you for your time, energy, and unwavering support to Y-COP.

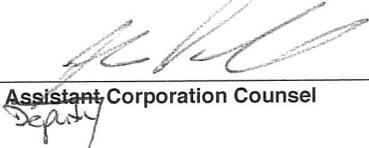
Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

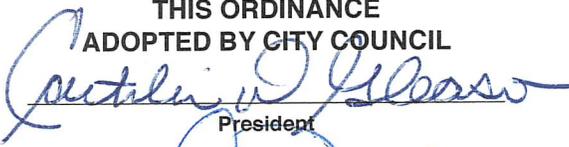
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

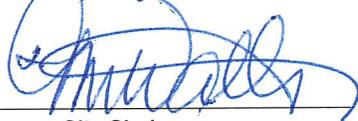

Assistant Corporation Counsel


Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**


President

ATTEST:


City Clerk

**APPROVED
SEP 26 2024**

Date

By 

Mayor

Dept. _____

APPROVED

16

17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, NEW YORK RECOGNIZING THE COMMITMENT AND SERVICE OF THE GREATER HUDSON VALLEY (NY) CHAPTER OF THE LINKS, INCORPORATED

Whereas, the great City of Mount Vernon, NY, joins together to recognize the commitment and service of THE GREATER HUDSON VALLEY (NY) CHAPTER OF THE LINKS, INCORPORATED; and
Whereas, THE GREATER HUDSON VALLEY (NY) CHAPTER OF THE LINKS, INCORPORATED and the goal to broaden the "circle of friendship" within The Links; and
Whereas, to serve the communities of Dutchess, Putnam, Rockland, and Westchester Counties in New York. With the mission as a not-for-profit women's organization to enrich the lives of the people in the community through service initiatives; and
Whereas, THE GREATER HUDSON VALLEY (NY) CHAPTER OF THE LINKS, INCORPORATED, being a national recognized, award-winning chapter, has built and cultivated numerous programs with various community partners guided by The Links, Incorporated's five facets: Services to Youth, The Arts, National Trends and Services, International Trends and Services and Health and Human Services; and
Whereas, it is fitting that this organization be honored tonight with the Business Support Award as one of the nation's oldest and largest volunteer service organizations of extraordinary women committed to enriching, sustaining, and ensuring the culture and economic survival of African Americans and other persons of African ancestry; Now, Therefore, be it
Resolved, that the City Council joins with the citizens of the City of Mount Vernon, NY, and the Y-COP family in recognition of the valuable contributions of THE GREATER HUDSON VALLEY (NY) CHAPTER OF THE LINKS, INCORPORATED to our community.

Vote Taken As Follows: 9/25/2024
Boxhill: Yea Browne: Yea
Poteat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

[Signature]
Assistant Corporation Counsel

[Signature]
Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL

[Signature]
President

ATTEST:

[Signature]
City Clerk

APPROVED SEP 26 2024

Date

[Signature]
Mayor

APPROVED

Dept.

17

18

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MOUNT VERNON, NEW YORK
RECOGNIZING THE DEDICATION AND
SERVICE OF LINDA L. JACOBS**

Whereas, the great City of Mount Vernon, NY, joins together to recognize the dedication and service of *LINDA JACOBS*; and

Whereas, *LINDA JACOBS*' long-term commitment to volunteering goes back to her years in grade school; and

Whereas, *LINDA JACOBS* has dedicated herself to service in various capacities to many well-known agencies and institutions throughout Westchester County; and

Whereas, she has faithfully volunteered with Y-COP since 2012 and has been a significant contributor to its service to the community in unmeasurable ways. On any given day, you can find Mrs. Jacobs preparing meals for the agency's events, performing clerical duties, assisting with food and toy drives, and supporting the agency's after-school program. Through community partnerships, she acquired auction items for the agency's annual gala and sold journal ads and tickets. She has also used her resources to organize the prom dress giveaways, Scholarship Pancake Breakfast, Men Who Cook for Kids, tag sales, fish fry dinner sales, and other fundraising efforts and events; and

Whereas, it is fitting that she be honored tonight with the Connie J. Watson Memorial Volunteer of the Year Award for her outstanding dedication, tireless commitment, and exemplary service to our community over the years; **Now, Therefore, be it**

Resolved, that the City Council joins with the citizens of the City of Mount Vernon, NY, and the Y-COP family in recognition of LINDA JACOBS for her unwavering passion and selfless contributions, which have made a profound impact and have elevated the spirit of volunteerism. Ms. Jacobs, your exceptional efforts have genuinely exemplified the values of our beloved Connie J. Watson. Thank you for being a beacon of generosity and a driving force behind Y-COP.

Vote Taken As Follows: 9/25/2024
Boxhill: Yea Browne: Yea
Poteat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM



Assistant Corporation Counsel
Sept 25

APPROVED
Dept. _____



Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**



President

ATTEST: 

City Clerk

APPROVED
SEP 26 2024

Date



By _____
Mayor

City Council:

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MOUNT VERNON, NEW YORK
RECOGNIZING THE SERVICE AND
LEADERSHIP OF LIEUTENANT KRISTA MANN**

Whereas, the great City of Mount Vernon, NY, joins together to recognize the service and leadership of **KRISTA MANN**; and

Whereas, **KRISTA MANN** has been with the Mount Vernon Police Officer for over nineteen years, where she has held positions in Patrol, Street Task Force, Intelligence Unit, Internal Affairs, and the Detective Division; and

Whereas, **KRISTA MANN**, in 2019, was promoted to the rank of Lieutenant, becoming the first African American woman to hold that rank in the Mount Vernon Police Department and the first African American woman to hold that rank in all of Westchester County. Lieutenant Mann previously was the Executive Officer of the Detective Division, making her the first African American female to have an executive supervisor position in the Division. Lieutenant Mann is currently the Commanding Officer of the Wellness Division; and

Whereas, the mother of three and former social worker has always been a public servant committed to the community. **KRISTA MANN'S** commitment to community engagement is immortalized by the legacy of Operation BUILD, an after-school program with a mission to build the self-esteem of middle school-aged girls. She has also worked with the Mount Vernon Youth Bureau as a facilitator to their GEMS program for empowering girls and young women; and

Whereas, we are proud of Lieutenant Mann and excited that she is being honored tonight by Y-COP with the Educator of the Year Award for her years of public and community service to the City of Mount Vernon; **Now, Therefore, be it**

Resolved, that the City Council joins with the citizens of the City of Mount Vernon, NY, the many colleagues, and the countless lives of the people she has positively impacted in recognition of **KRISTA MANN**. We thank you for all that you have done, and we thank you for your continuous work. You are a beacon of positivity our young people can model and proudly aspire to be.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

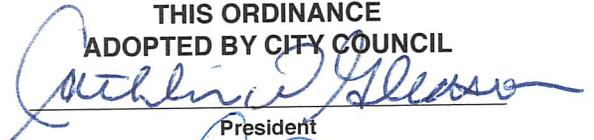
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

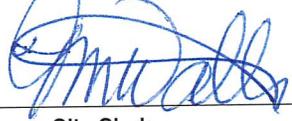

Assistant Corporation Counsel


Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**

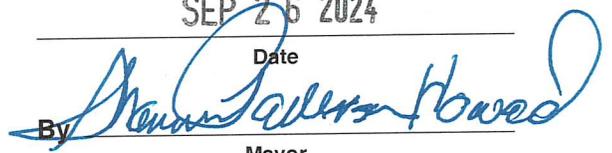

President

ATTEST:


City Clerk

**APPROVED
SEP 26 2024**

Date


By
Mayor

APPROVED

Dept. _____

28

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MOUNT VERNON, NEW YORK
RECOGNIZING THE COMMITMENT AND
SERVICE OF AMIRAH ROBERTS**

Whereas, the great City of Mount Vernon, NY, joins together to recognize the commitment and service of **AMIRAH ROBERTS**; and

Whereas, **AMIRAH ROBERTS** began her work with Y-COP as an after-school counselor; and

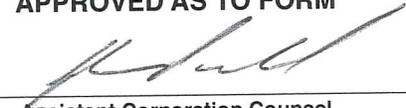
Whereas, **AMIRAH ROBERTS** has dedicated her post-secondary education to elementary and childhood education. With a well-rounded knowledge of general and special education, Ms. Roberts began her teaching career with the Mount Vernon City School District as a substitute teacher. She gained a healthy rapport with the district staff, children, and parents there. Simultaneously, she began working with Y-COP during the after-school hours. In 2019, Ms. Roberts became a full-time employee with the agency and continued to show her unwavering dedication to the children in the program. With her strong academic skills and passion for the well-being and development of children, she has paved a steady path upward at Y-COP. From being a Counselor to a Supervisor, to Administrative Staff to a Site Director, to an educator and mentor; and

Whereas, we are grateful that Ms. Roberts is being honored tonight by Y-COP with the **Educator of the Year Award** for her outstanding dedication, love for learning, and service to our community; **Now, Therefore, be it**

Resolved, that the City Council joins with the citizens of the City of Mount Vernon, NY, and the Y-COP family in recognition of **AMIRAH ROBERTS** for her exceptional contributions to academic learning. Her passion and commitment have profoundly impacted Y-COP's young minds and laid a strong foundation for their future education and growth. Ms. Roberts, thank you for your time, energy, and unwavering support to Y-COP.

Vote Taken As Follows: 9/25/2024
Boxhill: Yea Browne: Yea
Poteat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted

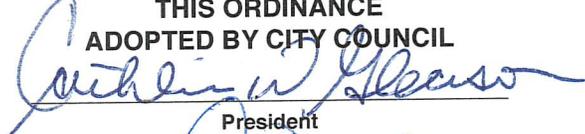
APPROVED AS TO FORM


Assistant Corporation Counsel

APPROVED
Dept. _____

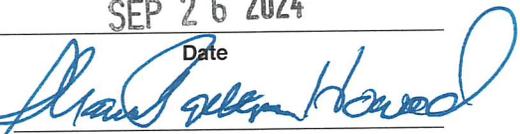

Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**


President

ATTEST: 
City Clerk

APPROVED
SEP 26 2024

Date

By _____
Mayor

21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, NEW YORK RECOGNIZING THE OUTSTANDING SERVICE AND DEDICATION OF JENNIFER VODRAZKA

Whereas, the great City of Mount Vernon, NY, joins together to recognize the outstanding service and dedication of **JENNIFER VODRAZKA**; and

Whereas, **JENNIFER VODRAZKA**'s passion, hard work, and commitment to excellence have not only driven her personal success but have also inspired those around her; and

Whereas, one might say that **JENNIFER VODRAZKA** operates from both brain hemispheres – the logical and creative side. Over the years, Ms. Vodrazka has generously donated crafts and holiday decorations to Y-COP from her Etsy Online Shop. As she became familiar with the agency's staff and volunteers, Ms. Vodrazka deeply appreciated the agency and its mission. In 2019, she began volunteering for Y-COP. She utilized her creative talents to decorate the reception hall for the annual gala and engaged the youth to decorate for other agency events. Professionally, Ms. Vodrazka has a successful career in business and financial management. She started a bookkeeping business in 2022 and has taught many women how to use QuickBooks accounting systems to restart their careers. With her meticulous attention to detail and commitment to ensuring the financial well-being of the agency, Ms. Vodrazka became a member of the Y-COP Board of Directors and currently holds the role of Treasurer; and

Whereas, we are pleased that Ms. Vodrazka is being honored tonight by Y-COP with the **Above and Beyond Award** for her outstanding dedication, creative contributions, and service to our community; **Now, Therefore, be it**

Resolved, that the City Council joins with the citizens of the City of Mount Vernon, NY, and the Y-COP family in recognition of **JENNIFER VODRAZKA** for her expertise, integrity, and leadership as Treasurer. She has significantly contributed to the success and stability of the agency and its mission. We greatly appreciate her tireless efforts and unwavering support of Y-COP.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

Assistant Corporation Counsel

Deputy

THIS ORDINANCE

ADOPTED BY CITY COUNCIL

President

ATTEST:

City Clerk

APPROVED

SEP 26 2024

Date

By

Mayor

APPROVED
Dept. _____

21

22

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MOUNT VERNON, NEW YORK
RECOGNIZING THE CONTRIBUTIONS AND
INSPIRATIONAL LEGACY OF
LORETTA J. HOTTINGER**

Whereas, the great City of Mount Vernon, NY, joins together to recognize the contributions and inspirational legacy of **LORETTA J. HOTTINGER**; and

Whereas, **LORETTA J. HOTTINGER** was on the Mount Vernon City Council for a decade, serving as its President and was appointed as its Corporation Counsel from 2009 to 2012; and

Whereas, **LORETTA J. HOTTINGER** has been a member of the Board of Trustees of The First United Methodist Church since 1990. It was during that tenure that she was approached by Y-COP leaders Allen Ayers and Henry Wilson to help them find a location for the organization to operate programs for the youth of Mount Vernon; and

Whereas, the wife, mother, and grandmother of two have been actively supporting activities for children, including church Sunday School. **LORETTA J. HOTTINGER** has held leadership positions in after-school activities for Mount Vernon's elementary schools since her own children entered the school system. She also served as a founding member of the Mount Vernon Educational Foundation. As an active sports mom by supporting the Junior Knights. She boosted the basketball team by fundraising and chauffeured them to various locations in the tri-state area for games; and

Whereas, **LORETTA J. HOTTINGER** remains a staunch advocate for Y-COP and its mission to provide a safe environment for learning and recreation for the Youth of Mount Vernon; **Now, Therefore, be it**

Resolved, that the City Council joins Y-COP, the citizens of the City of Mount Vernon, and the many former and present students, in presenting **LORETTA J. HOTTINGER** with the Legacy Award. We thank you for all your endeavors, which have not only left an indelible mark on the youth of Mount Vernon but have also created a legacy that will continue to inspire future generations.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

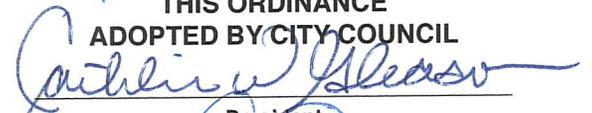
APPROVED AS TO FORM


Assistant Corporation Counsel

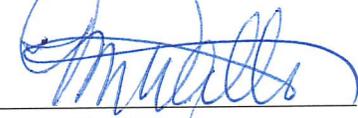
APPROVED
Dept. _____


Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**

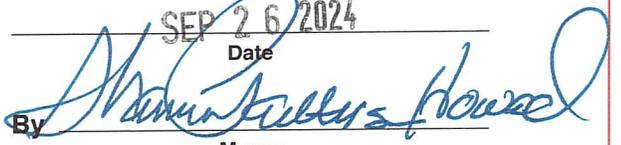

President

ATTEST:


City Clerk

APPROVED

SEP 26 2024
Date


Mayor

22

23

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MOUNT VERNON, NEW YORK
RECOGNIZING *THE SERVICE AND COMMITMENT*
OF
The Very Reverend DERRICK ADAMS
TO THE OFFICE OF BISHOP-DESIGNATE**

Whereas, the great City of Mount Vernon, NY, joins together to the service and accomplishments of *The Very Reverend DERRICK ADAMS*; and

Whereas, *The Very Reverend DERRICK ADAMS* was born and raised in Mount Vernon, NY, and accepted Jesus Christ as his personal Lord and Savior at the tender age of twelve, beginning a spiritual journey that would lead him to serve in various capacities within the church, including Faith Christian Assembly and Calvary Baptist Church in White Plains; and

Whereas, he is a Mount Vernon High School graduate, attended Westchester Community College and the College of New Rochelle, and continued to further his theological studies as a Senior Consultant for the Eastern Theological Consortium, demonstrating a lifelong commitment to spiritual and academic growth. *The Very Reverend DERRICK ADAMS* heeded the call to ministry during a pivotal moment in his life, changing his plans to serve under the guidance and mentorship of Bishop Leon Dixon, whose wisdom and love for God's people shaped Pastor Adams' pastoral calling; and

Whereas, *The Very Reverend DERRICK ADAMS* was ordained as a Deacon in 2012 under the leadership of Chairman Deacon William Fuller and has since faithfully served as an Armor Bearer for Bishop and Elder Dixon, a choir member and director, usher, prayer warrior, Sunday School teacher, and member of the Men's Committee, with humility and dedication in every role. He is an active member of the Westchester United Black Clergy and the K.I.N.G. (Knowledge, Inspiration, and Nurture through God) Ministers Fellowship Council, contributing to the broader faith community beyond his local congregation. *The Very Reverend DERRICK ADAMS* is a devoted husband, father, son, brother, and uncle whose love for family is evident in his relationship with his wife, Melanie Adams, their son, Demonte, and the lasting influence of his mother, Nettie Pone, his stepfather, Deacon Willie Pone, and the late Bishop Leon Dixon and Elder Dorothy Dixon; **Now, Therefore, be it**

Resolved, that the City Council is honored to celebrate *The Very Reverend DERRICK ADAMS* for this prestigious and well-deserved elevation to **THE OFFICE OF BISHOP-DESIGNATE**. May he continue to lead the church with grace, wisdom, and a heart for service as he follows the call of God into this next chapter of ministry.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

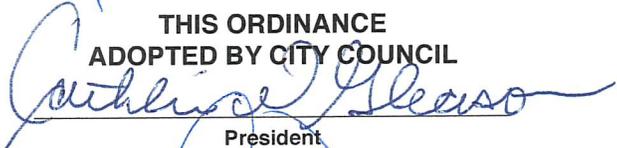
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel
Deputy


Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**


President

ATTEST:


City Clerk

APPROVED

SEP 26 2024
Date


By
Mayor

APPROVED
Dept. _____

23

24

AN ORDINANCE AUTHORIZING THE DEPARTMENT OF BUILDINGS TO SOLICIT A REQUEST FOR PROPOSAL (RFP) FOR OUTSIDE CONTRACT SERVICES FOR FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS OF MULTI-DWELLING AND NONRESIDENTIAL PROPERTIES

Whereas, by letter dated August 30, 2024, the Commissioner of the Department of Buildings has requested legislation authorizing and directing said Department to solicit a Request for Proposal (RFP) for outside contract services to commence in 2025 to conduct fire safety and property maintenance inspections of multi-dwelling and nonresidential properties, effective January 1, 2025; and

Whereas, the State of New York mandates the City of Mount Vernon to conduct fire safety and property maintenance inspections of multi-dwelling and nonresidential properties; and

Whereas, these inspections are critical to ensuring the safety, health, and welfare of the residents and property owners by addressing occupancy, structural, and safety issues in compliance with the Uniform Code; and

Whereas, the current contract with LaBella Associates, D.P.C. for fire safety and property maintenance inspections is in effect until December 31, 2024; and

Whereas, the City of Mount Vernon is experiencing significant population growth and increased demand for services, making it imperative to expand its capacity to meet safety obligations and maintain necessary infrastructure; and

Whereas, the City Council recognizes the need to ensure the highest quality of inspection services and the importance of conducting an open and competitive RFP process for the selection of an outside contractor to provide these services beyond 2024; and

Whereas, the current budget line item A3620.405 (Buildings Department: Contracted Outside Services) is designated for the payment of contracted fire safety inspection services and will be used for the new contract resulting from the RFP process; and

Whereas, it is in the best interest of the City of Mount Vernon and its residents to secure the services of an experienced and qualified contractor to perform these inspections starting in 2025, thereby protecting the city's economy, infrastructure, and public safety;
Now, Therefore, Be It Resolved That

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization to Solicit Request for Proposal (RFP). The City of Mount Vernon is authorized and directed to solicit a Request for Proposal (RFP) for outside contract services to commence in 2025 to conduct fire safety and property maintenance inspections of multi-dwelling and nonresidential properties.

Section 2: Purpose of RFP. The purpose of the RFP is to solicit qualified and experienced contractors to provide inspection services in accordance with the Uniform Code of the State of New York, ensuring the health, safety, and welfare of Mount Vernon's residents and property owners.

Section 3. Use of Existing Contract and Funds. Payments for the current contract with LaBella Associates, D.P.C. shall continue to be processed under expense account A3620.405 (Buildings Department: Contracted Outside Services) until December 31, 2024. The funds allocated under this same budget line shall be utilized for the new contractor selected through the RFP process beginning in 2025.

24

24

Section 4. Expiration of Current Contract. The current contract with LaBella Associates, D.P.C. will remain in effect until its natural expiration on December 31, 2024. During this time, the City shall prepare for a smooth transition to the new contractor selected through the RFP process.

Section 5. Timeline for RFP Process. The RFP process shall commence immediately upon passage of this ordinance, allowing sufficient time for selecting a new contractor, contract negotiation, and approval to ensure continuous and uninterrupted fire safety and property maintenance inspection services to commence in 2025.

Section 6. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

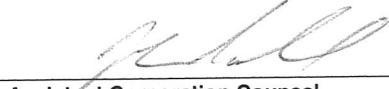
Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted



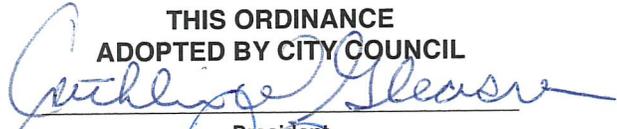
Councilperson

APPROVED AS TO FORM



Assistant Corporation Counsel
Deputy

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**



President

ATTEST: 

City Clerk

APPROVED
Dept. _____

APPROVED
SEP 26 2024

Date


Mayor

24

SEP 25 2024

25

NOT
ADOPTED

**AN ORDINANCE GRANTING PERMISSION TO
THE MAYOR TO ENTER INTO AN AGREEMENT
WITH CONSOLIDATED EDISON COMPANY
("CON EDISON") TO CONDUCT A TEST BOREHOLE
FOR THE THERMAL ENERGY NETWORK PILOT
PROJECT AT THE DOLES RECREATION CENTER**

Whereas, by letter dated September 18, 2024, the Director of Business Development has requested legislation authorizing the Mayor to enter into an agreement with Consolidated Edison Company ("Con Edison"), including its employees, agents, contractors, and representatives, to drill, install, operate, maintain, and conduct necessary activities related to the Test Borehole in the green space of the Doles Recreation Center, located at 260 South 6th Avenue, for the Urban Thermal Energy Network (UTEN) pilot project; and

Whereas, the New York State Public Service Commission ("NYS PSC") has issued **PSC Order # 22-M-0429**, requiring Consolidated Edison Company ("Con Edison") to propose at least one thermal energy network pilot project; and

Whereas, Con Edison has proposed three such thermal energy network pilot projects, one of which is located within the City of Mount Vernon, New York; and

Whereas, Con Edison has discussed the details of the proposed **Urban Thermal Energy Network (UTEN)** pilot project with Mayor Shawyn Patterson-Howard, the City Council, Comptroller Morton, and the residents of Mount Vernon at a City Council meeting in June 2024; and

Whereas, Con Edison has requested permission from the City of Mount Vernon to drill a test borehole in the green space area located at the intersection of South 7th Avenue and West 4th Street, which is part of the city-owned Doles Recreation Center, located at 260 South 6th Avenue; and

Whereas, the purpose of this test borehole is to assess the feasibility of utilizing this location for the thermal energy network as part of the UTEN pilot project; and

Whereas, the City of Mount Vernon seeks to support initiatives that promote sustainable energy solutions and modernize infrastructure while ensuring proper consultation with relevant departments and stakeholders; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. Authorization to Enter into an Agreement with Con Edison. The City Council hereby grants permission to the Mayor to enter into an agreement with Consolidated Edison Company ("Con Edison"), including its employees, agents, contractors, and representatives, to drill, install, operate, maintain, and conduct necessary activities related to the Test Borehole in the green space of the Doles Recreation Center, located at 260 South 6th Avenue, for the Urban Thermal Energy Network (UTEN) pilot project.

Section 2. Scope of Permitted Activities. Con Edison is authorized to perform the following activities within the designated area:

- 1. Drilling of Test Borehole:** Con Edison may conduct drilling operations to assess the suitability of the location for the thermal energy network.
- 2. Installation and Operation:** Con Edison is authorized to install and operate any equipment necessary for the test and subsequent evaluations.
- 3. Maintenance and Monitoring:** Con Edison may perform ongoing maintenance and monitoring of the borehole and related equipment to ensure the project's integrity and compliance with all safety regulations.

25

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NOT ADOPTED

Section 3. Additional Locations and Approvals. If Con Edison reasonably determines that the initial test borehole location is unsuitable for the project, the company shall be required to:

1. **Submit a Request for an Alternative Location:** Con Edison must submit a formal request for an alternative borehole location to the following city agencies:

- o The Department of Public Works – Office of Sustainability, directed by Shayne Brooks.
- o The City of Mount Vernon Industrial Development Agency – Office of Business Development, directed by Robin Mack.

2. **Receive Consent Prior to Proceeding:** The relevant city departments must consent to use any alternative location before commencing any further drilling or activities at an alternative site.

Section 4. Compliance with Regulatory Standards. All drilling, installation, and related activities must comply with the **New York State Public Service Commission** standards, environmental regulations, and all other applicable local, state, and federal laws. Con Edison shall ensure that all activities conducted on the site are safe and environmentally responsible.

Section 5. Indemnification and Liability. Con Edison agrees to indemnify, defend, and hold harmless the City of Mount Vernon, its officials, employees, agents, and contractors from any claims, damages, or liabilities arising from the drilling, installation, operation, and maintenance of the test borehole and related equipment.

Section 6. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/25/2024

Boxhill: Nay Browne: Abstain

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Not Adopted

APPROVED AS TO FORM

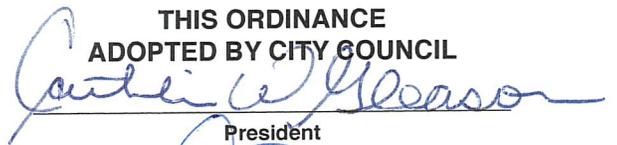


Assistant Corporation Counsel
Deputy



Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL



President

ATTEST: 

City Clerk

APPROVED

APPROVED

Dept. _____

Date

By _____
Mayor

SEP 25 2024

26
NOT

ADOPTED

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO AN INTER-MUNICIPAL AGREEMENT
WITH THE COUNTY OF WESTCHESTER FOR THE
REPLACEMENT OF THE CURRENT SINGLE-BAND
VHF ANTENNA WITH A TRI-BAND ANTENNA
AT THE MOUNT VERNON POLICE HEADQUARTERS**

Whereas, by letter dated September 6, 2024, the Commissioner of the Department of Public Safety has requested legislation authorizing the Mayor to enter into an Inter-Municipal Agreement (IMA) with the County of Westchester for the replacement of the current single-band VHF antenna with a tri-band antenna (VHF-UHF-700MHz) at the Mount Vernon Police Headquarters located at 2 Roosevelt Square North; and

Whereas, the proposed upgrade will involve the installation of a tri-band antenna (VHF-UHF-700MHz), which will enhance the reception of the Mutual Aid Radio System (MARS) control station located at the Mount Vernon Police Headquarters; and

Whereas, this upgrade will allow the control station to operate on the County of Westchester's P25 Trunked Radio System, thereby improving communications capabilities and enhancing public safety; and

Whereas, the City of Mount Vernon and the County of Westchester have agreed to enter into an Inter-Municipal Agreement (IMA) to facilitate this antenna replacement at no cost to the City; and

Whereas, it is in the best interest of the City of Mount Vernon to authorize the Mayor to enter into the IMA with the County of Westchester in order to proceed with the antenna replacement and improve the overall safety and communication infrastructure of the City; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization to Enter into Inter-Municipal Agreement. The Mayor is hereby authorized to enter into an Inter-Municipal Agreement (IMA) with the County of Westchester for the replacement of the current single-band VHF antenna with a tri-band antenna (VHF-UHF-700MHz) at the Mount Vernon Police Headquarters located at 2 Roosevelt Square North.

Section 2. Purpose and Scope of the Agreement. The purpose of this agreement is to allow the Mutual Aid Radio System (MARS) control station at Mount Vernon Police Headquarters to operate on the County of Westchester's P25 Trunked Radio System, improving inter-agency communication and public safety response capabilities.

Section 3. No Cost to the City. The City of Mount Vernon shall incur no costs in relation to this agreement. The County of Westchester shall cover all expenses related to the tri-band antenna's procurement, installation, and maintenance.

SEP 25 2024

26

NOT ADOPTED

Section 4. Effective Date of Agreement. The Inter-Municipal Agreement between the City of Mount Vernon and the County of Westchester shall take effect upon execution by both parties and remain in effect until the successful installation and testing of the new tri-band antenna, subject to any additional terms and conditions outlined in the IMA.

Section 5. Effective Date of Ordinance. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

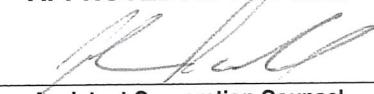
Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Abstain

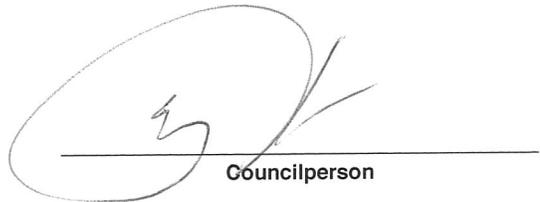
Poteat: Yea Thompson: Yea

Gleason: Abstain Ordinance Not Adopted

APPROVED AS TO FORM



Assistant Corporation Counsel
Deputy



Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL



President

ATTEST:



City Clerk

APPROVED

Date

APPROVED
Dept. _____

By _____
Mayor

26

SEP 25 2024

27

NOT
ADOPTED

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO AN INTER-MUNICIPAL AGREEMENT
WITH THE COUNTY OF WESTCHESTER TO ACCEPT
MUTUAL AID RADIOS FOR USE BY THE
MOUNT VERNON POLICE DEPARTMENT**

Whereas, by letter dated September 6, 2024, the Commissioner of the Department of Public Safety has requested legislation authorizing the Mayor to enter into an Inter-Municipal Agreement (IMA) with the County of Westchester for the acceptance of mutual aid radios to be used by the Mount Vernon Police Department for communication with County law enforcement and other first responders; and

Whereas, the City of Mount Vernon recognizes the importance of inter-agency communication and coordination in maintaining public safety and effectively responding to emergencies; and

Whereas, the Department of Public Safety of the City of Mount Vernon has identified the need for mutual aid radios to allow police officers to communicate seamlessly with the County of Westchester law enforcement and other first responders during mutual aid situations; and

Whereas, the County of Westchester has offered to provide mutual aid radios to the City of Mount Vernon Police Department to enhance public safety operations and improve communication during emergencies; and

Whereas, there is no cost to the City of Mount Vernon for the provision of these mutual aid radios; and

Whereas, it is in the best interest of the City of Mount Vernon to authorize the Mayor to enter into an Inter-Municipal Agreement (IMA) with the County of Westchester to accept these mutual aid radios, which will enhance the safety and coordination of law enforcement and first responders within the City and the County; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization to enter into an Inter-Municipal Agreement. The Mayor of the City of Mount Vernon is hereby authorized to enter into an Inter-Municipal Agreement (IMA) with the County of Westchester for the acceptance of mutual aid radios to be used by the Mount Vernon Police Department for communication with County law enforcement and other first responders.

Section 2. Purpose and Scope of the Agreement. The purpose of this agreement is to provide mutual aid radios to the Mount Vernon Police Department, enabling seamless communication between the City's police officers and County law enforcement as well as other first responders during mutual aid situations, thus improving response times and coordination during emergencies.

Section 3. No Cost to the City. The City of Mount Vernon shall incur no costs in relation to this agreement. The mutual aid radios shall be provided by the County of Westchester at no cost to the City.

NOT ADOPTED

Section 4. Effective Date of Agreement. The Inter-Municipal Agreement between the City of Mount Vernon and the County of Westchester shall take effect upon execution by both parties and remain in effect for the duration of the use of the mutual aid radios, subject to any additional terms and conditions outlined in the IMA.

Section 5. Effective Date of Ordinance. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Abstain

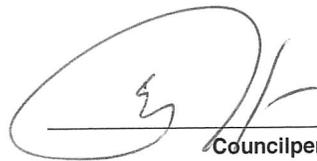
Poteat: Yea Thompson: Yea

Gleason: Abstain Ordinance Not Adopted

APPROVED AS TO FORM

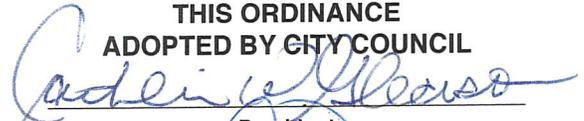


Assistant Corporation Counsel
Deputy

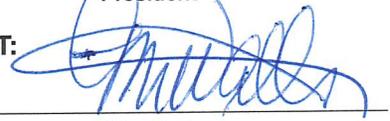


Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL



President

ATTEST: 

City Clerk

APPROVED

Date

APPROVED
Dept. _____

By _____
Mayor

SEP 25 2024

28

**AN ORDINANCE AUTHORIZING THE INCREASE
IN FUNDING FOR THE POSITION OF PERSONNEL
ASSOCIATE IN THE DEPARTMENT OF PUBLIC
SAFETY AND REAPPROPRIATING FUNDS
FROM A VACATED POSITION**

Whereas, by letter dated September 18, 2024, the Commissioner for the Department of Public Safety has requested legislation authorizing the salary for the position of Personnel Associate in the Department of Public Safety to be increased from \$71,384.00 to \$78,178.00, reflecting an increase of \$6,794.00 as per the recommendation of the Human Resources Department; and

Whereas, the Department of Public Safety recognizes the need to increase funding for the budgeted position of Personnel Associate, formerly titled Personnel Specialist, to better meet the department's operational needs; and

Whereas, the Human Resources Department has recommended an increase in the salary for the Personnel Associate position from \$71,384.00 to \$78,178.00, representing an increase of \$6,794.00; and

Whereas, the funding for this increase will come from the vacated position of Computer Console Operator under budget line A3120.101 (Salary), ensuring that no additional funds will be required from other city resources; and

Whereas, the Department of Public Safety aims to optimize its organizational structure and meet departmental goals by filling urgent civilian positions to enhance administrative efficiency; and

Whereas, the City Council has determined that the reallocation of funds to support this increase is in the best interest of the City of Mount Vernon and its residents; **Now, Therefore, Be It Resolved That**

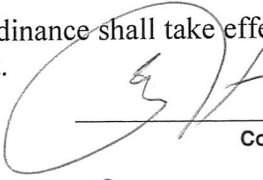
The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization for Increase in Salary. The salary for the position of Personnel Associate in the Department of Public Safety shall be increased from \$71,384.00 to \$78,178.00, reflecting an increase of \$6,794.00 as per the recommendation of the Human Resources Department.

Section 2. Reappropriation of Funds. The funding required for this salary adjustment shall be reappropriated from the vacated position of Computer Console Operator under budget line A3120.101 (Salary). This reallocation ensures that no additional funding is necessary to cover the increase in salary for the Personnel Associate position.

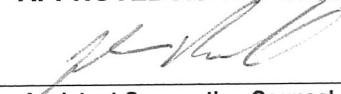
Section 3. Departmental Goals. The Department of Public Safety shall continue to evaluate and optimize its staffing and organizational structure, ensuring that civilian positions critical to departmental operations are filled promptly to meet its goals.

Section 4. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.



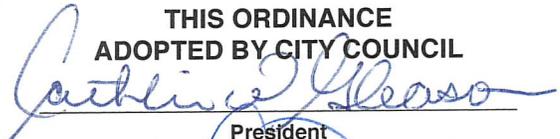
Councilperson

APPROVED AS TO FORM



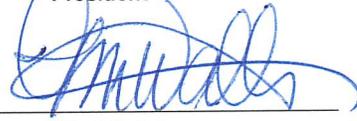
Assistant Corporation Counsel
Deputy

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**



President

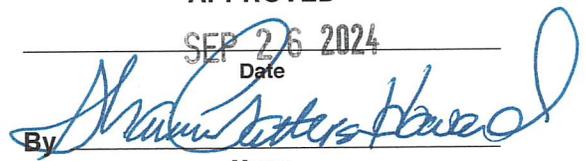
ATTEST:



City Clerk

APPROVED

SEP 26 2024
Date



Mayor

APPROVED
Dept. _____

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Nay

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

29

NOT
ADOPTED

**AN ORDINANCE AUTHORIZING THE MAYOR
TO ENTER INTO A RENEWAL CONTRACT
AGREEMENT WITH THE NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND MARKETS
FOR FUEL INSPECTION AND TESTING SERVICES**

Whereas, by letter dated September 18, 2024, the Commissioner of the Department of Public Safety has requested legislation authorizing Mayor Shawyn Patterson-Howard to enter into a renewal contract agreement with the New York State Department of Agriculture and Markets from April 1, 2024, to March 31, 2029. This agreement allows the Mount Vernon Consumer Protection Department to conduct fuel inspections, screening tests, and fuel sampling at retail fuel outlets per the standards set by the state; and

Whereas, the City of Mount Vernon, through its Consumer Protection Department, performs important regulatory functions, including conducting inspections, screening tests, and sampling fuel stored at retail fuel outlets to ensure compliance with state standards; and

Whereas, the City of Mount Vernon has an existing contract with the New York State Department of Agriculture and Markets to provide these services, which is set to expire; and

Whereas, the New York State Department of Agriculture and Markets has proposed to renew this contract for a new period from April 1, 2024, to March 31, 2029, under which the City of Mount Vernon will continue to conduct inspections and fuel testing at retail fuel outlets within the city limits; and

Whereas, the City will be reimbursed up to \$11,550.00 for costs incurred in performing the required number of tests as stipulated in the agreement, and such reimbursements will be allocated to revenue code A6610 (Sealer of Weights & Measures); and

Whereas, it is necessary for the City Council to authorize the Mayor to enter into this agreement to ensure that these essential services continue without interruption and that the City receives proper reimbursement for its work; **Now, Therefore, Be It Resolved That**

The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization to enter into Contract Renewal. The City Council authorizes Mayor Shawyn Patterson-Howard to enter into a renewal contract agreement with the New York State Department of Agriculture and Markets from April 1, 2024, to March 31, 2029. This agreement allows the Mount Vernon Consumer Protection Department to conduct fuel inspections, screening tests, and fuel sampling at retail fuel outlets per the standards set by the state.

Section 2. Reimbursement and Revenue Allocation. Under this agreement, the City of Mount Vernon shall be reimbursed for costs incurred in performing inspections up to \$11,550.00. These funds will be allocated to revenue code A6610 (Sealer of Weights & Measures) to cover the costs associated with performing the required tests.

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NOT ADOPTED

Section 3. Scope of Work. The scope of work under this agreement includes:

- Conducting inspections and tests of fuel stored at retail outlets within the City of Mount Vernon.
- Performing screening tests and sample collection to ensure that fuel sold within the city complies with all applicable laws and standards.
- Providing reports and documentation to the New York State Department of Agriculture and Markets as the contract requires.

Section 4. Effective Date. This ordinance shall take effect immediately upon its approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/25/2024

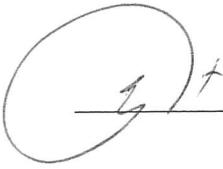
Boxhill: Yea Browne: Abstain

Poteat: Yea Thompson: Yea

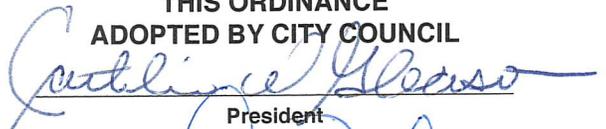
Gleason: Abstain Ordinance Not Adopted

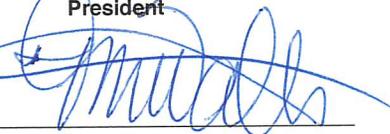
APPROVED AS TO FORM


 Assistant Corporation Counsel
 Deputy


 Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL


 Catharine Gleason
 President

ATTEST: 
 City Clerk

APPROVED

Date

 APPROVED
 Dept. _____

 By _____
 Mayor

JQ

AN ORDINANCE AMENDING ORDINANCE NO. 45, ADOPTED BY THE CITY COUNCIL ON AUGUST 14, 2024, ENTITLED "AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ELECTRONIC SYSTEMS SOLUTIONS, INC. (ESS) FOR THE INSTALLATION AND MAINTENANCE OF A CITYWIDE CAMERA SURVEILLANCE SYSTEM"

The City of Mount Vernon, in City Council convened, does hereby ordain and enact:

Section 1. The first decretal paragraph and the 5th Whereas paragraph of Ordinance No. 45, adopted on August 14, entitled "AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ELECTRONIC SYSTEMS SOLUTIONS, INC. (ESS) FOR THE INSTALLATION AND MAINTENANCE OF A CITYWIDE CAMERA SURVEILLANCE SYSTEM" is hereby amended as follows:

Whereas, by letter dated [August 7, 2024] September 19, 2024, the Commissioner of the Department of Public Safety has requested legislation amending Ordinance No. 45, adopted by the City Council on August 14, 2024, authorizing the Mayor to enter into a contract with Electronic Systems Solutions, Inc. (ESS) for the installation and maintenance of a citywide camera surveillance system, as detailed in the proposal; and

Whereas, the Department of Public Safety has identified the need for a comprehensive citywide camera surveillance system to enhance public safety and improve law enforcement capabilities; and

Whereas, Electronic Systems Solutions, Inc. has proposed a solution comprising license plate recognition (LPR) cameras to assist with major thoroughfare patrol, foot patrol, crime pattern locations, and traffic stops, while providing real-time surveillance for faster case resolutions; and

Whereas, ESS is under New York State contract #PT68793, eliminating the need for competitive bidding as per the City of Mount Vernon Procurement Policy adopted April 24, 2024; and

Whereas, the total cost for installing and maintaining the surveillance system is [\$161,903.88] \$149,113.58, to be [paid] satisfied from Budget Line Bond Anticipated Notes (BANS) H1620.203.C948; and

Whereas, after further review and an additional site visit by ESS, it was determined that the removal of the extended maintenance agreement resulted in a reduction of \$12,790.30 from the new contract payment; Now, Therefore, Be It Resolved That

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The City of Mount Vernon, in City Council convened, does hereby ordain, and enact:

Section 1. Authorization. The Mayor is hereby authorized to enter into a contract with Electronic Systems Solutions, Inc. to install and maintain a citywide camera surveillance system, as detailed in the proposal.

Section 2. Contract Amount. The total payment of \$161,903.88 for the services provided by Electronic Systems Solutions, Inc. shall be charged to Budget Line Bond Anticipated Notes (BANS) H1620.203.C948.

Section 3. Procurement Policy Compliance. Pursuant to the City of Mount Vernon Procurement Policy adopted on April 24, 2024, the contract with Electronic Systems Solutions, Inc. is exempt from competitive bidding requirements due to its status under New York State contract #PT68793.

Section 4. Definitions.

• **Citywide Camera Surveillance System:** A network of cameras, including license plate recognition (LPR) cameras, installed across the city to enhance public safety and assist law enforcement.

• **License Plate Recognition (LPR) Cameras:** Cameras designed to capture and recognize vehicle license plates are used to monitor and manage traffic and law enforcement activities.

Section 5. Effective Date. This ordinance shall take effect upon its approval by the Board of Estimate & Contract.

New matter underlined
Deleted matter in brackets []

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

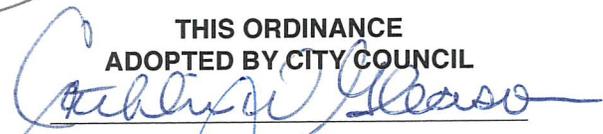
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel
Deputy


Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**


President

ATTEST: 
City Clerk

APPROVED

SEP 26 2024

Date


Mayor

APPROVED
Dept. _____

SEP 25 2024

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LOCAL LAW NO. 5 OF 2024

A LOCAL LAW TO AMEND CHAPTER 267
(ZONING) OF THE CODE OF THE CITY OF
MOUNT VERNON TO REGULATE
SHORT-TERM RENTALS

Be It Enacted by the City Council of the City of Mount Vernon as follows:

SECTION 1. The Code of the City of Mount Vernon is amended by adding the following (language **in Bold and Underlined** to be added, language in **Strikethrough and Bold and Underlined** to be deleted):

Article XV. SHORT-TERM RENTALS

§ 267-93. Title.

This Article shall be known and may be cited as the “City of Mount Vernon Short-Term Rentals Code.”

§ 267-94. Findings. The City Council has determined it is in the best interest of the City and its residents to regulate short-term rentals. The City Council recognizes the benefits of short-term rentals to allow homeowners to supplement their income to defray the cost of housing, and to provide lodging for visitors to the City and encourage tourism. However, in order to protect the health, safety, and welfare of the City and its residents, and to preserve the residential character of the City’s residential districts, it is necessary to impose certain restrictions and requirements in furtherance of the City’s goals and objectives.

§ 267-95. Definitions. As used in this Chapter, the following terms shall have the meanings indicated:

OCCUPIED PRIMARY RESIDENCE - A dwelling unit used by the owner or tenant as his or her or their primary residence. When a property is titled or leased in the name of a business entity, all owners or members of the business entity must use the premises as his or her or their primary residence. When a property is titled or leased in the name of a trustee, the property shall be considered an occupied primary residence if the grantor or grantee is the occupant of the property.

OWNER - Any individual or individuals, partnership or corporation or other organization in possession of and having a fee interest in the real property. The term “owner” shall include a corporation, limited-liability company, partnership, association, trustee, or other business entity or nonbusiness forms of ownership.

PRIMARY RESIDENCE - The primary location that a person inhabits and resides in most of the year.

SHORT-TERM RENTAL - An entire dwelling unit, or a room or group of rooms within a dwelling unit, made available to rent, lease or otherwise assigned for an occupancy of less than 30 consecutive days. The term “short-term rental” does not include hotels/motels rooms.

TENANT - Any person holding a written lease to occupy, use and possess the whole or part of any building or real property, either alone or with others.

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§ 267-96. Applicability.

A. Any dwelling unit, or room(s) therein, located in a one-family dwelling, two-family dwelling, or multifamily dwelling may be used as short-term rentals subject to the requirements set forth in this article. Short-term rentals shall be permitted in all zoning districts within the City in which residential uses are permitted.

B. It shall be unlawful to use, establish, maintain operate, occupy, rent, or lease any property as a short-term rental if the property is not an occupied primary residence. The property used as a short-term rental shall be the primary residence of the owner or tenant at all times during the term of the permit.

C. No short-term rentals shall be permitted in the following locations: multifamily dwellings with an active PILOT agreement with the Mount Vernon Industrial Development Agency or the County of Westchester Industrial Development Agency; multifamily dwellings where the entire building is rent regulated; any dwelling where the lease or occupancy agreement prohibits short-term rentals; non-residential buildings; and/or any other location where short-term rentals are prohibited by law.

§ 267-97. Permit Required; Permit Application; Revocation of Permit; Appeals.

A. Permit required. It shall be unlawful to use, establish, maintain, operate, occupy, rent, or lease any property as a short-term rental without first having obtained a short-term rental permit.

B. Permit application.

(1) An application for a short-term rental permit shall be filed and a short-term rental permit shall be obtained from the Building Department before the dwelling unit, or a room or group of rooms within a dwelling unit, is advertised for short-term rental, and, if the spaces are not advertised, then such permit shall be obtained before said space is leased or rented.

(2) Issuance of a short-term rental permit requires submission of an application to the Building Department and payment of the processing fee set forth in the City Fee Schedule.

(3) If a tenant seeks a short-term rental permit, the tenant's application shall be signed by the landlord, and evidence must be provided to the Building Department that the landlord is the owner of the dwelling unit.

(4) No permit will be issued for a short-term rental if there are unresolved Code compliance issues, outstanding City fines or fees, or unpaid taxes.

(5) The form and content of the permit applications shall be as determined from time to time by the Building Department and shall contain such information and materials as the Building Department deems necessary to determine the sufficiency of the application. Such application shall contain, at a minimum:

(a) Proof of receipt of New York State STAR Credit or STAR property tax exemption for the short-term rental property;

(b) Copy of utility bill in the applicant's name;

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(c) Property address; total number of rooms; location; number of persons, specifically:

[1] The property address;

[2] The total number of dwelling units located within the building;

[3] The total number of bedrooms and bathrooms inside the dwelling unit;

[4] The total number of rooms proposed for short-term rental use;

[5] The location of each such dwelling unit or individual bedroom within the building; and

[6] The number of persons to be accommodated in each room available for short-term rental use;

(d) A signed and notarized certification in a form acceptable to the Building Department by the applicant attesting to the fact that:

[1] The applicant resides at the property and it is the applicant's primary residence;

[2] That the property is fit for human habitation and safe;

[3] That the applicant will comply with all of the conditions and restrictions of the permit;

[4] That no portion of the area used for short-term rentals will utilize a cellar or attic, or any portion thereof, as habitable space unless it meets the requirements of the International Fire, Residential and Building Codes or successor law;

[5] That the property is in compliance with all the provisions of this chapter, the applicable provisions of the City Code, the International Series of Codes and the New York State Code Supplement; and

[6] The required building permits and certificates of occupancy are in place for all existing structures on the property if applicable;

(e) Such other information as the City may require to prove the property is an occupied primary residence and safe for renters; and

(f) If an applicant plans to rent the entire dwelling unit, the short-term rental application shall include the name and contact information of a responsible person with the right to enter and maintain possession of the dwelling. Such responsible person must be available 24 hours a day to respond in person to any short-term renter and neighborhood concerns and be capable of responding in person within two hours of notification from the City.

(6) All permits issued pursuant to this section shall be for a period of one year and shall be renewable for subsequent one-year terms upon application, conformance with this section and payment of the permit fee. Any application to renew said permit shall be accompanied by a record, maintained by the owner or tenant throughout the duration of the permit term, indicating

the number of guests and the beginning and ending dates of each short-term rental.

(7) If the information submitted as part of the permit application changes at any time after submittal of the application, it is the responsibility of the owner or tenant to submit such changes to the Building Department in writing within 30 days of the occurrence of such change. Failure to do so shall be deemed a violation of this section. Any changes submitted by a tenant must also be signed by the owner.

(8) Any permit issued for a short-term rental shall expire automatically upon a change in ownership or tenancy of the dwelling unit in which the short-term rental is located.

C. Revocation of a permit.

(1) The grounds upon which a permit can be revoked by the Building Inspector shall include but shall not be limited to:

(a) The permit was issued in error, or issued in whole or in part as a result of a false, untrue, or misleading statement on the permit application or other document submitted for filing;

(b) A short-term rental permit has been issued and the owner or tenant fails to continue to occupy the premises as a primary residence;

(c) Use of the property as a short-term rental creates a hazard or public nuisance, threat to public safety or other condition which negatively impacts the use and/or enjoyment of surrounding properties, or threatens the peace and good order, or quality of life in the surrounding community;

(d) Failure to comply or violation of the conditions of the permit;

(e) Failure to comply or violation of any federal, state, or local law, regulation, or rule.

(f) Short-term rental permits for dwelling units located in multifamily buildings may be revoked if the Police Department or Building Inspector receives three substantiated written complaints in a twelve-month period concerning the use of the premises as a short-term rental. A written complaint can be substantiated by the Building Inspector or the Police Department if it is a complaint regarding the violation of a City law or ordinance and the complaint is supported by other evidence, including a police report, photograph, or video.

(2) Any permit issued pursuant to this section may be revoked or suspended by the Building Inspector, after written notice to the owner. Written notice shall be served by registered or certified mail, return receipt requested, and by regular mail, to the applicant at the address shown on the application. The notice shall describe the reasons why the City is revoking the permit.

D. Appeals.

(1) Upon the denial, suspension or revocation of a permit, the applicant may, within 30 days from the date of the written notice, appeal said denial, suspension or revocation to the Zoning Board of Appeals in accordance with the appeal procedure of Article IX of this chapter.

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(2) In the event the applicant is not satisfied with the decision of the Zoning Board of Appeals, such aggrieved party may file an Article 78 proceeding under the New York Civil Practice Law and Rules. The Article 78 proceeding must be filed within 30 days of the filing of the Zoning Board of Appeals' decision with the City Clerk.

§ 267-98. Standards. All short-term rentals shall comply with the following standards:

(1) If a property owner or tenant is renting out the entire dwelling unit, the property owner must engage the services of an agent with the right to enter and maintain possession of the dwelling. This agent must be available 24 hours a day to respond to any short-term renter and neighborhood concerns and be capable of responding within two hours of notification from the City.

(2) No owner shall offer or use any part of the property as a short-term rental not approved for residential use.

(3) A short-term rental property shall not be rented for any other purpose, commercial or otherwise, not expressly permitted under this section, such as concerts, weddings, or other large gatherings or events.

(4) Any owner renting out a short-term rental shall use best efforts to ensure that the occupants and/or guests of the short-term rental do not create unreasonable noise or disturbance, engage in disorderly conduct, violate any provision of the City Code, or violate any law pertaining to disorderly conduct, the consumption of alcohol, or the use of illegal drugs.

(5) A written notice on a form to be provided by the Building Department, which contains information about relevant City parking laws, garbage and rubbish rules and schedules, and snow removal, and identifies the party(ies) responsible for responding to complaints about the short-term rental, shall be completed and left at a conspicuous location inside the short-term rental unit and maintained at such location by the owner and displayed at all times.

(6) Short-term rental of an entire dwelling unit is limited to 180 days in any one calendar year. Where only a portion of the dwelling unit is subject to the short-term rental, there shall be no limit on the number of days in any calendar year, provided that an owner or tenant is physically in residence at such dwelling during those periods that the portion of the unit is subject to short-term rental. A rental day shall be deemed to mean any day that the property is occupied for rental overnight. Upon request, the property owner or tenant shall provide:

(a) A statement from any and all short-term rental website platforms used to advertise the short-term rental; such letter shall be provided on the company's letterhead and shall indicate the number of rentals for the entire dwelling unit that occurred within the year; and

(b) A certified letter from the owner or tenant indicating the number of days the entire dwelling unit was rented within the year through any short-term rental website or other means.

(7) If a property owner advertises their rental, the short-term rental permit number must be included in the listing.

(8) The maximum number of people per sleeping room is one person if the square footage is between 70 square feet and 100 square feet and two people if the square footage is greater than 100 square feet. The Building Inspector may disqualify a particular space within a dwelling unit as a sleeping

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room based on concerns over emergency egress, safety, or over-occupancy of a dwelling unit.

(9) Each sleeping room shall have an exterior exit that opens directly to the outside or an emergency escape or rescue window, which meets all applicable requirements for emergency and escape access. Notwithstanding the foregoing, the Building Inspector may approve other means of emergency egress for each sleeping room in its reasonable discretion.

(10) There shall be one functioning smoke detector in each sleeping room, and one functioning smoke detector on the ceiling or wall in the immediate vicinity outside each separate sleeping room, as approved by the Building Inspector.

(11) Carbon monoxide detectors shall be installed in all dwelling units that contain a fuel-burning appliance, system, or other source of carbon monoxide, as approved by the Building Inspector.

(12) At least one functioning and inspected fire extinguisher shall be present in each dwelling unit, as approved by the Building Inspector.

(13) Parking:

(a) Proper off-street parking as regulated in Article VIII of this chapter shall be required.

(b) Parking on any part of the lawn is prohibited.

(14) A house number visible from the street shall be maintained.

(15) Provisions shall be made for weekly garbage removal during all short-term rental occupancies. Proper garbage and rubbish maintenance shall be regulated by City Code Chapter 140.

(16) A safety/egress plan, to be posted in a visible location within the short-term rental, shall be provided.

(17) A valid short-term rental registration permit shall be conspicuously posted in each dwelling unit.

(18) Any owners or tenant issued a short-term rental permit shall comply with any applicable occupancy tax in effect.

(19) “House rules,” if any, shall be posted in a conspicuous location within the dwelling unit.

§ 267-99. Presumptive Evidence. The presence or existence of the following shall create a rebuttable presumption that a property is being utilized as a short-term rental:

(1) The property is offered for lease or rent on a short-term rental website, including but not limited to Airbnb, HomeAway, VRBO, and similar websites; or

(2) The property is offered for lease or rent by the use of any other advertising mechanism for a period of less than 30 days.

§ 267-100. Inspection. The property shall be inspected by the Building Department and Fire Department at the time of the initial application and prior to any permit renewal, to determine whether the property remains in compliance with this section and all other applicable provisions of the City Code,

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the International Series of Codes, and New York State Code Supplement. A dwelling unit with a short-term rental is subject to periodic inspections by the Building Department and/or the Fire Department to ensure continued compliance with the applicable codes. If the Building Inspector or Fire Inspector determines in writing that the short-term rental space is not in compliance, the owner or tenant shall cease use of the dwelling unit as a short-term rental until all noncomplying elements have been corrected and the owner shall apply for reinspection with the Building Department or Fire Department, as applicable, subject to an additional fee as set forth in the City Fee Schedule.

§ 267-101. Enforcement. Any violation of this Article shall be subject to the same enforcement requirements, including the civil and criminal penalties, provided for in Article X of this Chapter.

§ 267-102. Registry List. The Building Department shall maintain a list of all short-term rental units located in the City. Such list shall be updated every six months.

SECTION 2. Chapter 267 of the Code of the City of Mount Vernon is amended by adding the following (language in **Bold and Underlined** to be added, language in ~~**Strikethrough and Bold and Underlined**~~ to be deleted):

§ 267-17. List of resident district uses.

- A. District R1-7 One-Family Residence.
 - (1) Permitted principal uses.
 - (d) Short-term rentals, as regulated by Chapter 267, Article XV**
- B. District R1-4.5 One-Family Residence.
 - (1) Permitted principal uses.
 - (d) Short-term rentals, as regulated by Chapter 267, Article XV**
- C. District R1-3.6. One-Family Residence.
 - (1) Permitted principal uses.
 - (d) Short-term rentals, as regulated by Chapter 267, Article XV**
- D. District R2-4.5. Two-Family Residence.
 - (1) Permitted principal uses.
 - (f) Short-term rentals, as regulated by Chapter 267, Article XV**
- E. District RMF-6.75. Multifamily Residence.
 - (1) Permitted principal uses.
 - (h) Short-term rentals, as regulated by Chapter 267, Article XV**
- F. District RMF-10 Multifamily Residence.
 - (1) Permitted principal uses.
 - (h) Short-term rentals, as regulated by Chapter 267, Article XV**
- G. District RMF-15 Multifamily Residence.
 - (1) Permitted principal uses.
 - (h) Short-term rentals, as regulated by Chapter 267, Article XV**

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SECTION 3. If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

SECTION 4. This local law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10. It supersedes the provisions of the City Law to the extent that they are inconsistent with this local law.

SECTION 5. This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

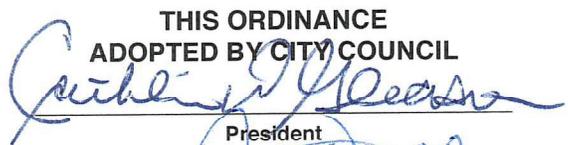
Poteat: Yea Thompson: Yea

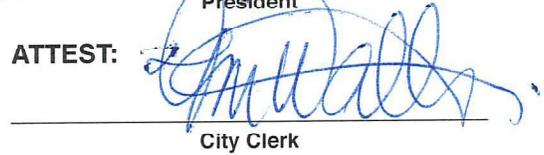
Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

Assistant Corporation Counsel

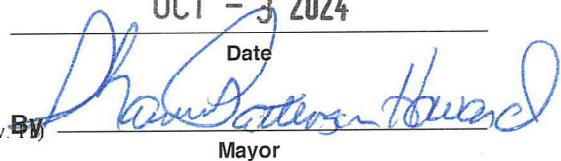

Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**

President

ATTEST: 
City Clerk

APPROVED
Dept. _____

APPROVED
OCT - 3 2024

Date

Mayor

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LOCAL LAW NO. 6 OF 2024

**A LOCAL LAW OF THE CITY OF MOUNT
VERNON, NY ESTABLISHING A LOCAL
GOVERNMENT CODE ENFORCEMENT PROGRAM**

Be it enacted by the City Council of the City of Mount Vernon, New York, in the County of Westchester, as follows:

SECTION 1. PURPOSE AND INTENT

This local law, adopted pursuant to section 10 of the Municipal Home Rule Law, provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the City of Mount Vernon, New York.

Except as otherwise provided in the Uniform Code, the Energy Code, other state law, or other Sections of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this local law.

SECTION 2. DEFINITIONS

In this local law, the following terms shall have the meanings shown in this Section:

“Assembly Area” shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

“Building Inspector” shall mean the building inspector who is a certified code enforcement official responsible for participating in the inspection of building construction and repair for compliance with new and existing Federal, State and City of Mount Vernon Codes.

“Building Permit” shall mean a building permit, construction permit, demolition permit, or other permit that authorizes work performance. The term “Building Permit” shall also include a Building Permit that is renewed, amended, or extended pursuant to any provision of this local law.

“Certificate of Compliance” shall mean a document issued by the Commissioner of the Department of Buildings stating that work was done in compliance with approved construction documents and the Codes.

“Certificate of Occupancy” shall mean a document issued by the City of Mount Vernon certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to and approved by the City of Mount Vernon and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

“Certificate of Tenancy” shall mean a Certificate of occupancy issued by the Commissioner of the Department of Buildings for a tenancy space. The certificate of tenancy is issued to the business owner and authorizes the occupancy of the tenancy space in accordance with such certificate and all applicable codes, rules, and regulations.

[“City” shall mean the City of Mount Vernon.]

“Code Enforcement Officer” shall mean the Code Enforcement Officer appointed pursuant to subdivision A(7)(b) of section 3 of this local law. Code Enforcement Officers are responsible for enforcing the City's ordinances and property maintenance and fire codes.

“Code Enforcement Personnel” shall include the Code Enforcement Officer and all Inspectors.

“Codes” shall mean the Uniform Code and Energy Code.

“Energy Code” shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

“FCNYS” shall mean the 2020 New York State Fire Code as currently incorporated by reference in 19 NYCRR Part 1225.

“Fire Inspector” shall be responsible for enforcing the codes related to the proper usage and occupancy as well as codes related to Fire Life safety, egress, fire penetrations, fire stops, fire escapes, membrane structures and fossil burning devices and equipment

“Fire Safety and Property Maintenance Inspection” shall mean an inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

“Hazardous Production Materials” shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

“Housing Inspector” shall mean a certified enforcement official participating in the inspections of housing and dwelling units to determine and secure compliance with minimum housing standards set by the State and City of Mount Vernon Codes.

“Inspector” shall mean an inspector appointed pursuant to subdivision A(7)(a) of section 3 of this local law.

“Mobile Food Preparation Vehicles” shall mean vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

“Operating Permit” shall mean a permit issued pursuant to section 10 of this local law. The term “Operating Permit” shall also include an Operating Permit that is renewed, amended, or extended pursuant to any provision of this local law.

“Order to Remedy” shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 17 of this local law.

“Permit Holder” shall mean the Person to whom a Building Permit has been issued.

“Person” shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

“PMCNYS” shall mean the 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

“RCNYS” shall mean the 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

“Repair” shall mean the reconstruction, replacement, or renewal of any part of an existing building to maintain it or correct damage.

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“Stop Work Order” shall mean an order issued pursuant to section 6 of this local law.

“Sugarhouse” shall mean a building used, in whole or in part, for collecting, storing, or processing maple sap into maple syrup and/or maple sugar.

“Temporary Certificate of Occupancy” shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

“Temporary Certificate of Tenancy” shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

“Uniform Code” shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(A) The Office of Code Enforcement Officer, which consists of the City’s Building Department and Fire Department, has now been created. The Inspector or Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law.

The Code Enforcement Officer shall have the following powers and duties:

- (1) To receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Tenancy, Certificates of Compliance, Temporary Certificates of Occupancy, Temporary Certificates of Tenancy and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;
 - (2) Upon approval of such applications which also require the signature of the Commissioner or Deputy Commissioner, to issue Building Permits, Certificates of Occupancy, Certificates of Tenancy, Certificates of Compliance, Temporary Certificates of Occupancy, Temporary Certificates of Tenancy, and Operating Permits, and include in terms and conditions the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Tenancy, Certificate of Compliance, Temporary Certificates of Occupancy, Temporary Certificates of Tenancy and Operating Permits;
 - (3) To conduct housing inspections, the Housing Inspector will conduct housing and dwelling unit inspections before issuing a Certificate of Occupancy, temporary Certificate of Occupancy inspections, and inspections incidental to investigating housing complaints to determine and secure compliance with minimum housing standards set by the State and City of Mount Vernon codes.
 - (4) To conduct building inspections, the Building Inspector will do inspections to be made before the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, Temporary Certificates of Tenancy and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;
 - (5) To issue Stop Work Orders signed by the Commissioner or Deputy Commissioner;
 - (6) To review and investigate complaints;
 - (7) To exercise all other powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.
- (a) The Commissioner of Buildings shall appoint the inspector. The inspector shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training in-service training,

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advanced in-service training, and other training as the state of New York shall require for inspectors (code enforcement personnel). The inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(b) The Commissioner of Buildings shall appoint the Code Enforcement Officer. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel. The Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(c) If the Inspector or Code Enforcement Officer cannot serve as such for any reason, another individual shall be appointed by the Commissioner of Buildings (a certified enforcement officer) to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more Inspectors or code enforcement officers may be appointed by the Commissioner of Buildings, the lead code enforcement officer for the City, to assist the Code Enforcement Officer and the Deputy Commissioner of Buildings in exercising the powers and fulfilling the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector or code enforcement officer shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector or code enforcement officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(B) To conduct the fire inspection, the Fire Inspector shall have the following Duties:

- (1) To inspect new and existing buildings, mobile food preparation vehicles, various structures, sprinkler systems, and alarm systems; conduct plan and specification reviews to ensure compliance with the NYS Uniform Code.
- (2) To assist in the Department's public fire safety education and public relations programs; investigate routine complaints of fire/life safety hazards; establish and maintain various records and files on program activities; conduct research and write various reports; and perform related duties as required.
- (3) To conduct inspections of new construction and existing buildings to ensure compliance with fire, life safety, and related codes.
- (4) To inspect fire escapes, emergency exits, fire and smoke alarms, sprinkler systems, hood systems, and other sophisticated fire protection equipment to verify proper operation and to ensure compliance with applicable codes and standards.
- (5) To review plans and specifications for new construction, alterations/additions, and various types of fire protection equipment as part of the permit application process to ensure compliance with applicable codes and regulations.
- (6) To confer with architects, engineers, developers, contractors, property owners, and the public on matters related to fire prevention, code enforcement, and hazardous material storage and disposal.
- (7) To establish and maintain files and records on inspection activities, programs, and investigations.
- (8) To prepare correspondence, research, compile information, and develop various reports.

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(9) To receive and process complaints of fire hazards and issue citations as appropriate. Attend training courses to maintain currency in fire prevention and fire and life safety.

(10) To conduct oral presentations and provide information and training on fire prevention, fire, and life safety issues, as well as related codes and ordinances.

(C) The Fire Commissioner / Deputy Fire Commissioner / Chief of Operation / Deputy Fire Chiefs Additional Fire Officers and Firefighters; Fire Dispatchers, who are Certified NYS Code Enforcement Officers, are responsible for ensuring public safety by identifying and mitigating fire hazards and enforcing fire/safety regulations in the following manner:

- (2) Inspecting buildings: Verifying compliance with fire codes and looking for potential hazards in structures and mobile food preparation vehicles,
- (3) Inspection /Licensing / Permits of Oil burners / Oil Tanks installation and removal,
- (4) Inspection of premises where materials that are potential fire hazards are manufactured or stored to detect the potential for fire and/or explosion,
- (5) Inspecting equipment: Testing fire protection equipment like sprinklers and fire alarms, and inspecting other equipment like air compressors and fuel storage tanks,
- (6) Reviewing documents: Reviewing building plans and emergency evacuation plans,
- (7) Advising: Advising developers or owners about violations and completing follow-up visits,
- (8) Issuance of Annual Operating permits for various occupancies and equipment,
- (9) Maintaining files: Keeping accurate files about inspections, programs, and investigations,
- (10) Inspecting ammunition storage,
- (11) Issuing Blasting permits,
- (12) Issue permits for carbon dioxide systems for beverage dispensing, Commercial garages (auto repair & body shops), gasoline stations, dip tanks/spray booths, dry-cleaning plants and inspect those items for compliance,
- (13) Inspect of maintenance of explosives,
- (14) Inspect nail salons for proper ventilation,
- (15) Inspect Fire protection systems,
- (16) Inspect the installation of sprinkler system, standpipe system,
- (17) Inspect fixed extinguishing system and flammable liquids storage,
- (18) Inspect Installation/modification of equipment,
- (19) Inspection of storage of Class I, Flammable liquids, storage of Class II, Flammable liquids, storage of Class III, Flammable liquids,
- (20) Inspection of testing of storage facilities, hazardous materials storage, industrial ovens,
- (21) Inspect the operation of liquified petroleum gas (LPG),
- (22) Inspect the storage of lumberyard, mobile food preparation vehicles, oil burner equipment,
- (23) Inspect the installation of public garage (1 to 25), Solar Panels,
- (24) Inspect installation self-service gasoline service stations, and
- (25) Inspection welding and cutting activities.

In addition to the tasks enumerated above, the Fire Commissioner / Deputy Fire Commissioner / Chief of Operation /Deputy Fire Chiefs, Additional Fire Officers and Firefighters; Fire Dispatchers, who are Certified NYS Code Enforcement Officers, shall also be responsible for the following:

- a. Issue orders pursuant to subdivision (a) of section 17 (Violations) of this local law signed by the Commissioner or Deputy Commissioner;
- b. Maintain records in the Department of Buildings, the Fire Prevention office, or within the City's digital software system;
- c. Collect fees as set by the City Council;
- d. Pursue administrative enforcement actions and proceedings;
- e. Consult with the Corporation Counsel to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this local law or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and

SECTION 4. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this Section, a Building Permit shall be required for any work that must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first obtaining a Building Permit from the City of Mount Vernon.

Building permit applications shall include the following information:

- (1) A topographical survey of the property, including the trees' location, utilities' location, and all site improvements. A survey is not required to apply for interior repairs, window replacements, or re-roofing.
- (2) A topographical survey-plot plan is required for new buildings, additions, decks, and site work-retaining walls and driveways and is to be submitted in addition to the topographical survey. The topographical survey plot plans must show the following:
 - (i) Name of the current owner;
 - (ii) Topography with appropriate contour intervals extended 10' into adjoining property.
 - (iii) Location of buildings, driveways, and any retaining walls, with all dimensions and setbacks, inclusive of all trees on private and public property.
 - (iv) Name the street, with elevations at the center line of the street, including reference grad to curb along the center line of the building and elevation of the lowest finished floor and roof if the roof is flat.
 - (v) Location of utilities in the street and connections to buildings. Must indicate invert and rim elevations at manholes closest to property sidelines.
 - (vi) Drainage system detailing each catch basin, and/or dry wells, and yard drainage, showing finished grade elevations and detailed storm runoff pattern (using drainage arrows.)
 - (vii) Driveway profile from the center line of the street to garage floor or parking space. Must indicate slopes by percent (%)of grade. The driveway profile must indicate the following –"1\4 inch to 1-foot pitch from property line to TOP of street curb." Elevations at center line of street, TOP of curb, and at property line must also be

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indicated on profile. Where there is no curb, the elevation at the center line of the street is assumed as curb elevation and should be so indicated.

(b) Fire Commissioner / Deputy Fire Commissioner / Chief of Operation / Deputy Fire Chiefs Additional Fire Officers and Firefighters; Fire Dispatchers, who are Certified NYS Code Enforcement Officers, Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) Construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet,

(2) Construction of temporary sets and scenery associated with motion picture, television, and theater uses;

(3) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(4) Installation of partitions or movable cases less than 5'-9" in height;

(5) Interior Painting and Plastering; and

(6) Installation of listed portable electrical, plumbing, heating, ventilation, or cooling equipment or appliances.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category outlined in subdivision (b) of this Section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include information the Code Enforcement Officer deems sufficient to permit the Code Enforcement Officer to determine that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the location, nature, extent, and scope of the proposed work;

(2) the tax map number and the street address of any affected building or structure;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and digital submission of construction documents (drawings and specifications) shall be required, which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and

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registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements outlined in paragraph (5) of subdivision (d) of this Section. Construction documents accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing, by stamp, or in the case of electronic media, an electronic marking. The Code Enforcement Officer shall retain one set of the accepted construction documents, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work complies with the applicable requirements of the Uniform Code and Energy Code. The Commissioner or one of the Deputy Commissioners of the Department of Buildings shall issue a Building Permit if the proposed work complies with the applicable Uniform Code and Energy Code requirements.

(g) Building Permits to be displayed. Building permits shall be displayed at the work site and remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed per the construction documents submitted and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within twelve (12) months following the date of issuance. Building Permits shall expire within twelve (12) months after the date of issuance. A Building Permit that has become invalid or expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall comply with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined by the provisions outlined in section 18 (Fees) of this local law must be paid when applying for a Building Permit, an amended Building Permit, or a renewal of a Building Permit.

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SECTION 5. CONSTRUCTION INSPECTIONS.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer, a Building Inspector, or a Fire Inspector, when applicable, authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this Section is ready for inspection.

(b) Elements of work to be inspected. The following aspects of the construction process shall be inspected, where applicable:

- (1) Worksite before the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) structural, electrical, plumbing, mechanical, fire-protection (sprinkler system-fire stops, fire alarm systems), and other similar service systems of the building;
- (6) fire-resistant construction in conjunction with a Fire Inspector;
- (7) fire-resistant penetrations in conjunction with a Fire Inspector;
- (8) solid fuel burning heating appliances, chimneys, flues, or gas vents in conjunction with a Fire Inspector;
- (9) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
- (10) installation, connection, and assembly of factory manufactured buildings and manufactured homes; and
- (11) A final inspection will be conducted after all work authorized by the building permit has been completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to how the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work has been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined by the provisions outlined in section 18 (Fees) of this local law must be paid before or during each inspection performed under this Section.

SECTION 6. STOP WORK ORDERS.

(a) Authority to issue. The Commissioner or one of the Deputy Building Commissioners is authorized to issue Stop Work Orders under this Section. The Commissioner and Deputy Commissioner shall issue a Stop Work Order to halt:

- (1) Any work that the Code Enforcement Officer determines to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether

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such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) Any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, Building Inspector, or Fire Inspector without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) Any work for which a Building Permit is required, performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Commissioner or one of the Deputy Commissioners, (3) state the reason or reasons for issuance, and (4), if applicable, state the conditions that must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work that is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer, Building Inspector or Fire Inspector to correct the reason for issuing the Stop Work Order.

(e) Remedy is not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this Section. The authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 17 (Violations) of this local law or any other applicable local law or State law. Any other remedy or penalty may be pursued at any time, whether before, at the time of, or after a Stop Work Order issuance.

SECTION 7. CERTIFICATES OF OCCUPANCY, CERTIFICATES OF TENANCY, AND CERTIFICATES OF COMPLIANCE

(a) Certificates of Occupancy, Certificates of Tenancy, and Certificates of Compliance are required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work subject to a Building Permit and for all structures, buildings, or portions converted from one use, occupancy classification, or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy, Certificate of Tenancies, or Certificate of Compliance.

(b) Issuance of Certificates of Occupancy, Certificates of Tenancy, and Certificates of Compliance. The Commissioner or one of the Deputy Commissioners of Buildings shall issue a Certificate of Occupancy, Certificate of Tenancy, or Certificate of Compliance if the work that was the subject of the Building Permit was completed by all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification, or subclassification to another complies with all relevant Uniform and Energy Code provisions.

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(c) One of the City of Mount Vernon's Building Inspectors certified as code enforcement officers shall inspect the building, structure, or work before the Commissioner or one of the Deputy Commissioners will issue a Certificate of Occupancy, Certificate of Tenancy, or Certificate of Compliance. In addition, where applicable, the following documents, prepared by the provisions of the Uniform Code by such Person or persons as may be designated by or otherwise acceptable to the Commissioner or one of the Deputy Commissioners of Buildings Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Commissioner or one of the Deputy Commissioners of Buildings before the issuance of the Certificate of Occupancy, Certificate of Tenancy, or Certificate of Compliance:

- (1) a written statement of structural observations and/or a final report of special inspections,
- (2) flood hazard certifications,
- (3) a written statement of the results of tests performed to show compliance with the Energy Code and
- (4) Where applicable, affixing the appropriate seals, insignias, and manufacturer's data plates is required for factory-manufactured buildings and/or homes.

(d) Contents of Certificates of Occupancy, Certificates of Tenancy, and Certificates of Compliance. A Certificate of Occupancy, Certificate of Tenancy or Certificate of Compliance shall contain the following information:

- (1) The Building Permit number, if any;
- (2) the date of issuance of the Building Permit, if any;
- (3) the name (if any), address, and tax map number of the property;
- (4) If the Certificate of Occupancy, Certificate of Tenancy, or Certificate of Compliance does not apply to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;
- (5) the use and occupancy classification of the structure;
- (6) the type of construction of the structure;
- (7) the occupant load of the assembly areas in the structure, if any;
- (8) any special conditions imposed in connection with the issuance of the Building Permit and
- (9) The signature of the Commissioner or one of the Deputy Commissioners of the Department of Buildings issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

(e) Temporary Certificate of Occupancy or Temporary Certificate of Tenancy. The Commissioner or one of the Deputy Commissioners of Buildings who are certified as code enforcement officers shall be permitted to issue a Temporary Certificate of Occupancy or Temporary Certificate of Tenancy allowing the temporary occupancy or tenancy of a building or structure, or a portion thereof, before completion of the work which is the subject of a Building Permit. However, in no event shall the Commissioner or one of the Deputy Commissioners of the Department of Buildings issue a Temporary Certificate of Occupancy or Temporary Certificate of Tenancy unless the Commissioner or one of the Deputy Commissioners of the Department of Buildings Code determines

- (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy or Temporary Certificate of Tenancy, may be occupied safely,
- (2) that any required fire and life safety components, such as fire protection equipment

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and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period not to exceed 90 days, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(f) Revocation or suspension of certificates. If the Commissioner or one of the Deputy Commissioners Department of Buildings determines that a Certificate of Occupancy, Certificate of Tenancy or Certification of Compliance, or a Temporary Certificate of Occupancy or Tenancy was issued in error or based on incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period as shall be specified by the Code Enforcement Officer, the Commissioner or Deputy Commissioner of Buildings shall revoke or suspend such certificate.

(g) Fee. The fee specified in or determined per the provisions outlined in section 18 (Fees) of this local law must be paid when applying for a Certificate of Occupancy, Certificate of Tenancy, Certificate of Compliance, or Temporary Certificate of Occupancy.

SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The City of Mount Vernon Fire Department Chief or designee providing firefighting services for a property within this City shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel-burning appliance, chimney, or gas vent.

SECTION 9. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT AND CONDITIONS OF IMMINENT DANGER

Unsafe buildings, structures, equipment, and conditions of imminent danger in this City shall be identified and addressed in accordance with the procedures established by Chapter 106-1, as now in effect or as hereafter amended from time to time.

SECTION 10. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any building, structure, or facility listed below:

(1) Manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;

(2) Buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:

(i) Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;

(ii) Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;

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- (iii) Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;
 - (iv) Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;
 - (v) Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;
 - (vi) Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;
 - (vii) Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores more than 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;
 - (viii) Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;
 - (ix) Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;
 - (x) Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;
 - (xi) Section 307, "Open Burning, Recreational Fires, and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces;
 - (xii) Section 308, "Open Flames." Removing paint with a torch or using open flames, fire, and burning in connection with assembly areas or educational occupancies;
 - (xiii) Section 319, "Mobile Food Preparation Vehicles." Operating a mobile food preparation vehicle under the permitting requirements as established under Chapter 194 of the City of Mount Vernon Code, entitled "Peddling and Soliciting;" and
- (3) Energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in Section R327.5 of the RCNYS.
 - (4) buildings containing one or more assembly areas;
 - (5) Outdoor events where the planned attendance exceeds 1,000 persons;
 - (6) Facilities that store, handle, or use hazardous production materials;
 - (7) parking garages as defined in subdivision (a) of section 13 of this local law;
 - (8) Buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the City Council of this City; and

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(9) Other processes or activities or for operating any building, structure, or facility as determined by resolution adopted by the City Council of this City.

Any person who proposes to undertake any activity or to operate any building listed in this subdivision (a) shall be required to obtain an Operating Permit before commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Building Inspector or Fire Inspector, whomever is applicable. Such application shall include information the Building Inspector or Fire Inspector deems sufficient to permit a determination by the requisite Inspector, that quantities, materials, and activities conform to the requirements of the Uniform Code. If the requisite Inspector determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such Person or persons as may be designated by or otherwise acceptable to the requisite Inspector at the applicant's expense.

(c) Inspections. City of Mount Vernon Building Inspectors or Fire Inspectors certified as code enforcement officers, or both when necessary, shall inspect the subject premises before issuing an Operating Permit. Such inspections shall be performed in Person. After inspection, the premises shall be noted as satisfactory, and the operating permit shall be issued, or the operating permit holder shall be notified as to how the premises fail to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.

(d) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this Section is to be conducted at a location, City of Mount Vernon Building Inspectors or Fire Inspector, when necessary, certified as code enforcement officers may require a separate Operating Permit for each such activity, or the Building Inspector or Fire Inspector, may, at their discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for a specified period consistent with local conditions, but in no event to exceed as follows:

- (1) Ninety (90) days for tents, special event structures, and other membrane structures;
- (2) Three (3) years for the activities, structures, and operations determined per paragraph (9) of subdivision (a) of this Section and
- (3) One (1) year for all other activities, structures, and operations identified in subdivision (a) of this Section.

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the respective inspectors, who is the Code Enforcement Officer, payment of the applicable fee, and approval of such application by that respective Inspector.

(f) Revocation or suspension of Operating Permits. If the Building Inspector or Fire Inspector determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code. In that case, such an Operating Permit shall be revoked or suspended by the Commissioner of the Department of Buildings, one of the Deputy Commissioners of the Department of Buildings, or the Fire Department Chief when applicable.

(g) Fee. The fee specified in or determined in accordance with the provisions outlined in section 18 (Fees) of this local law must be paid at the time of submission of an application for an Operating Permit, for an amended Operating Permit, or reissue or renewal of an Operating Permit.

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SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Building Inspector or the Fire Inspector who is a certified Code Enforcement Officer, where applicable:

- (1) At least once every twelve (12) months for buildings that contain an assembly area;
- (2) At least once every 12 months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and
- (3) At least once every 36 months for multiple dwellings and all nonresidential occupancies.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this Section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or any dwelling unit, may also be performed by a Building Inspector or a Fire Inspector authorized to conduct fire safety and property maintenance inspections at any time upon:

- (1) the request of the owner of the property to be inspected or an authorized agent of such owner;
- (2) Receipt by the Building Inspector or Fire Inspector of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist or
- (3) Receipt by the Building Inspector or Fire Inspector of any other information reasonably believed by the to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

However, nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required unless such court order or warrant has been obtained.

(c) OFPC Inspections. Nothing in this Section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

Notwithstanding any other provision of this Section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or Section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement Officer or by an Inspector, provided that:

- (1) the Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section 1203.2(e)
- (2) the Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;
- (3) such inspections are performed no less frequently than once a year;
- (4) a true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and

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(5) upon receipt of each such report, the Code Enforcement Officer takes the appropriate action prescribed by section 17 (Violations) of this local law.]

(d) Fee. The fee specified in or determined in accordance with the provisions outlined in section 18 (Fees) of this local law must be paid before or at the time each inspection performed pursuant to this Section.

SECTION 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints that allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law Section 267 or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code.

The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- (a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- (b) if a violation is found to exist, provide the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and the opportunity to abate, correct, or cure the violation, or otherwise proceed in the manner described in section 17 (Violations) of this local law;
- (c) if appropriate, issuing a Stop Work Order;
- (d) if a violation that was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 13. CONDITION ASSESSMENTS OF PARKING GARAGES.

(a) Definitions. For the purposes of this Section:

- (1) the term “condition assessment” means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;
- (2) the term “deterioration” means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;
- (3) the term “parking garage” means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:
 - (i) buildings in which the only level used for parking or storage of motor vehicles is on grade;
 - (ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
 - (iii) a townhouse unit with attached parking exclusively for such unit;
- (4) the term “professional engineer” means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

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(5) the term “responsible professional engineer” means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term “responsible professional engineer” shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.

(6) the term “unsafe condition” includes the conditions identified as “unsafe” in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and

(7) the term “unsafe structure” means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(b) Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (c) of this Section, periodic condition assessments as described in subdivision (d) of this Section, and such additional condition assessments as may be required under subdivision (e) of this Section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the City in accordance with the requirements of subdivision (f) of this Section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

(c) Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

(1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

(2) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:

(i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;

(ii) if originally constructed between January 1, 1984, and December 31, 2002, then prior to October 1, 2020; and

(iii) if originally constructed between January 1, 2003, and August 28, 2018, then prior to October 1, 2021.

(3) Any parking garage constructed before the effective date of the local law enacting this provision that has not undergone an initial condition assessment before that effective date shall undergo an initial condition assessment within six months of the effective date of this local law.

(d) Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed (3) years.

(e) Additional Condition Assessments.

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(1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this Section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(2) If the City becomes aware of any new or increased deterioration which, in the judgment of the City indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this Section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the City to be appropriate.

(f) Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the City of Mount Vernon City Engineer, and the Commissioners of the Department of Buildings and Public Works within forty-five (45) days. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

(1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;

(2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;

(3) an evaluation and description of the unsafe conditions;

(4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;

(5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;

(6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;

(7) the responsible professional engineer's recommendation regarding preventative maintenance;

(8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and

(9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

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(g) Review Condition Assessment Reports. The **City** shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the City shall, by Order to Remedy or such other means of enforcement as the City may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (f). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This Section shall not limit or impair the right of the City to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

(h) The City shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the **City** with a written statement attesting to the fact that he or she has been so engaged, the **City** shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The **City** shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

(i) This Section shall not limit or impair the right or the obligation of the **City**:

(1) to perform such construction inspections as are required by section 5 (Construction Inspections) of this local law;

(2) to perform such periodic fire safety and property maintenance inspections as are required by section 11 (Fire Safety and Property Maintenance Inspections) of this local law; and/or

(3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the **City** by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

SECTION 14. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

(a) The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this **City** as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

(1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;

(2) heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and

(3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

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- (i) the accompanying Flood Insurance Rate Map (FIRM);
 - (ii) Flood Boundary and Floodway Map (FBFM); and
 - (iii) related supporting data along with any revisions thereto.
- (b) The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (a) of this Section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

SECTION 15. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

- (1) all applications received, reviewed and approved or denied;
- (2) all plans, specifications and construction documents approved;
- (3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
- (4) all inspections and tests performed;
- (5) all statements and reports issued;
- (6) all complaints received;
- (7) all investigations conducted;
- (8) all condition assessment reports received;
- (9) all fees charged and collected; and
- (10) all other features and activities specified in or contemplated by sections 4 through 14, inclusive, of this local law.

(b) All such records shall be uploaded to the City's electronic database and also be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 16. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to Mayor of this City a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 14 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this City on a form prescribed by the Secretary of State, a report of the activities of this City relative to administration and enforcement of the Uniform Code.

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(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this City is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

SECTION 17: VIOLATIONS

(a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

“The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by ___ [*specify date*], which is thirty (30) days after the date of this Order to Remedy.”

The Order to Remedy may include provisions ordering the Person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Penalties. In addition to such other penalties as may be prescribed by State law,

(1) any Person who violates any provision of this local law or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be punishable by a fine of not more than \$500 per day of violation, or imprisonment not exceeding **15 days**, or both; and

(2) any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than **\$500** for each day

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or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this *City*.

(d) **Injunctive Relief.** An action or proceeding may be instituted in the name of this *City*, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this *City* in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the **City Council** of this *City*.

(e) **Remedies Not Exclusive.** No remedy or penalty specified in this Section shall be the exclusive remedy or remedy available to address any violation described in this Section, and each remedy or penalty specified in this Section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this Section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this Section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this Section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this Section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this Section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 18: FEES

A fee schedule shall be established by resolution of the City Council of this *City*. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 19. INTERMUNICIPAL AGREEMENTS

The **City Council** of this *City* may, by resolution, authorize the **Mayor** of this *City* to enter into an agreement, in the name of this *City*, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

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SECTION 20. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 21. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

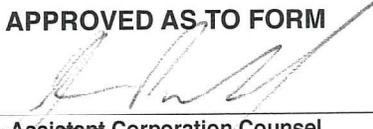
Vote Taken As Follows: 9/25/2024

Boxhill: Yea Browne: Yea

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

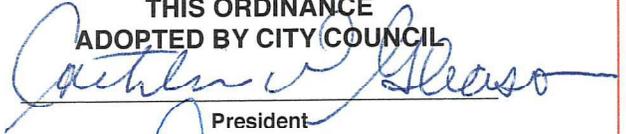


Assistant Corporation Counsel
Deputy



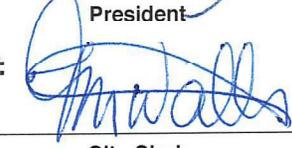
Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**



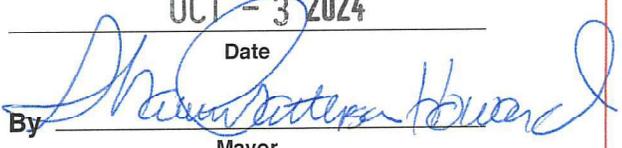
President

ATTEST:



City Clerk

**APPROVED
OCT - 3 2024**



Date
Mayor

APPROVED

Dept. _____

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**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MOUNT VERNON, NEW YORK
RECOGNIZING AND HONORING THE SERVICE OF
BORSELLA & MASTRO AUTO COLLISION SPECIALISTS**

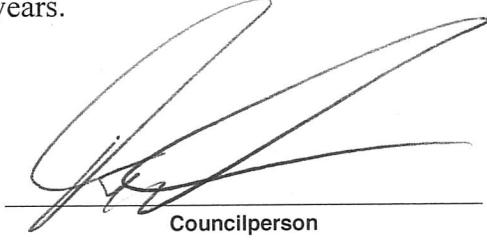
Whereas, the great City of Mount Vernon, NY, joins the community in recognizing and honoring the service of **BORSELLA & MASTRO AUTO COLLISION SPECIALISTS** to the community for eighty-five years; and

Whereas, **BORSELLA & MASTRO AUTO COLLISION SPECIALISTS** is a family-owned and operated auto body business. Its founder, Victor Borsella, emigrated to Mount Vernon, New York from Italy, and in 1924, he married Angelina Borsella. Together they started the auto body business in 1939. At that time, the shop was named Victor Borsella & Son, Incorporated; and

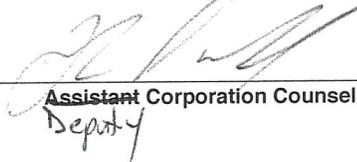
Whereas, **BORSELLA & MASTRO AUTO COLLISION SPECIALISTS** have been known for their skilled and professional work over the decades. They proudly have a reputation for having well-trained technicians with impeccable attention to detail. Stories have been told of how Mount Vernon Police cars would get into car accidents, and Victor Borsella would have the cars fixed before the end of the shift; and

Whereas, when Victor J. Borsella passed away in 1973, his son, Victor J. Borsella, Jr., took over the business, and, together with his mother, Angelina Borsella, and wife, Sharon Borsella, he successfully carried the torch and ran the family business. In 1991, Victor J. Borsella, Jr's daughter, Donna Borsella Autieri, and right out of high school, son, Richard Borsella, came on staff to help run the business. In 1996, at the age of ninety, Angelina Borsella passed away; in 1997, Richard Borsella passed away; in 1998, Victor J. Borsella, Jr. passed away, leaving Donna Borsella Autieri as the leader to run the family business. Donna, the third generation of the Borsella family, successfully carries on the business, which continues to grow and maintain its stellar reputation. In 2013, Donna partnered with Dominick Mastrogiacomo and renamed the business **BORSELLA & MASTRO AUTO COLLISION SPECIALISTS**. Mrs. Sharon Borsella, now eighty-five years young, is retired and proudly cheers her daughter, Donna, on from her home in Florida. Donna has two children, John, and Danielle, as well as a sister, Victoria, and niece, Alexandra, who carry on the family legacy; **Now, Therefore, be it**

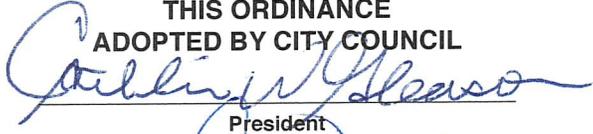
Resolved, that the City Council joins with the citizens of the City of Mount Vernon, NY, to recognize and honor **BORSELLA & MASTRO AUTO COLLISION SPECIALISTS** for their legacy of exemplary service, commitment, and dedication to our great city for eighty-five successful years. We wish you many more years.



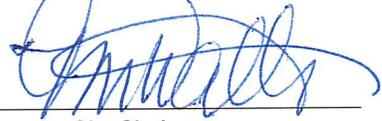
Councilperson

APPROVED AS TO FORM


Assistant Corporation Counsel
Deputy

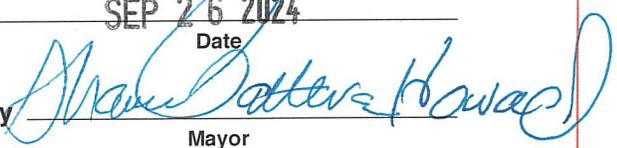
**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**


President

ATTEST: 

City Clerk

APPROVED
Dept. _____

APPROVED
SEP 26 2024
Date

By _____
Mayor

Vote Taken As Follows: 9/25/2024
Boxhill: Yea Browne: Yea
Poteat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted

SEP 25 2024

34

**A RESOLUTION APPOINTING
COMMISSIONERS OF DEEDS
FOR THE CITY OF MOUNT VERNON**

HELD

Whereas, under New York State Executive Law § 139, the City Council shall, in November in every even-numbered year, by resolution, determine the number of Commissioners of Deeds to be appointed by the City ; and

Whereas, Section 14 of the Charter of the City of Mount Vernon, states that the Mayor shall appoint as many Commissioners of Deeds as authorized by the City Council; and

Whereas, the terms of appointment for such Commissioners of Deeds shall be for two (2) years and shall commence from the date of this resolution until the 31st day of December of the next even year; and

Whereas, the City Council has determined that the number of Commissioners of Deeds to be appointed by the Mayor is to be no more than 100; and

Whereas, the Mayor wishes to appoint up to 100 Commissioners of Deeds for the City of Mount Vernon, as indicated in Appendix A; **Now, Therefore, be it**

Resolved, that this City Council does hereby determine the number of Commissioners of Deeds to be no more than 100; and

Resolved that the Mayor has the authority to appoint up to 100 Commissioners of Deeds, as indicated in Appendix A, commencing from the date of this resolution until the 31st day of December of the next even year.

Resolved, this ordinance shall take effect upon its approval by the Board of Estimate & Contract.

APPROVED AS TO FORM

[Signature]

Assistant Corporation Counsel
Deputy

Councilperson

**THIS ORDINANCE
ADOPTED BY CITY COUNCIL**

President

ATTEST:

City Clerk

APPROVED

Date

APPROVED

Dept. _____

By _____
Mayor

ADMITTED TO THE BOARD OF

34

SEP 25 2024

34

HELD

APPENDIX A

September 25, 2024

Honorable City Council Members
Mount Vernon City Hall
1 Roosevelt Square
Mount Vernon, NY 10550

Re: Appointment of Commissioners of Deeds

Dear Honorable City Council Members,

I request to appoint the following individuals as Commissioners of Deeds:

1. Taryn Vanderberg, Timekeeper, DPW
2. Dulce Lima, Secretary to Commissioner, Fire Department
3. Janet Lopez, Senior Accountant, Fire Department
4. Gina Donaldson, Secretary to Corporation Counsel
5. Darren Morton, Comptroller
6. Vontoria Roberson, Secretary to Comptroller
7. Jalyce Eugene, Finance and Employee Benefits Specialist, Comptroller's Office
8. Jasmine Isaac-Hodge, Clerk, Police Department
9. Carlton Spruill, Commissioner, Water Department
10. Lisa Copeland, Former City Council Member
11. Patricia Fleming, Secretary to City Clerk
12. Kathleen Walker-Pinckney, Commissioner, Recreation Department
13. Tomeka Graham-Olattara, Secretary to Commissioner, Planning and Community Development
14. Beverly P. Morris
15. Tonya Bagby
16. Lisa Autieri
17. Rita James
18. Kinverling Molina-Saenz
19. Brenda Gears
20. Antoinette Anderson, Legislative Assistant to the City Council
21. Nicole Bonilla, Deputy City Clerk

These individuals will be appointed for a two-year term beginning September 25, 2024, and expiring September 24, 2026. The underlined names are employees of the Mount Vernon City School District.

Sincerely,



Shawyn Patterson-Howard
Mayor, City of Mount Vernon

34

35

A RESOLUTION AUTHORIZING THE APPOINTMENT OF GEETA MORRIS TO THE CHARTER REVIEW COMMISSION TO FILL A VACANCY, PURSUANT TO SECTION 268(G) OF THE MOUNT VERNON CITY CODE

Whereas, Section 268(G) of the Mount Vernon City Code provides for the fulfillment of any vacancy arising from membership in the Charter Review Commission in the same manner in which that position was initially filled within 15 days from the date the vacancy arose; and

Whereas, a vacancy has arisen on the Charter Review Commission, and it is necessary to fill this vacancy promptly in accordance with the provisions of the City Code; and

Whereas, Geeta Morris has been nominated to serve as a member of the Charter Review Commission, and the City Council of Mount Vernon deems it necessary and appropriate to appoint her to fill the vacancy; and

Whereas, the City Council finds that the appointment of Geeta Morris will contribute to the continued work and mission of the Charter Review Commission in ensuring the integrity and functionality of the City's Charter; **Now, Therefore, Be It**

Resolved, by the City Council of the City of Mount Vernon, New York, as follows:

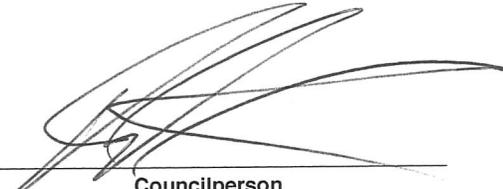
Section 1. Appointment. The City Council hereby appoints Geeta Morris to the Charter Review Commission to fill the vacancy created, in accordance with Section 268(G) of the Mount Vernon City Code.

Section 2. Terms of Service. Geeta Morris shall serve as a member of the Charter Review Commission for the duration of the current review period or until the City Council takes further action to reconstitute the Commission.

Section 3. Definitions. For the purposes of this resolution:

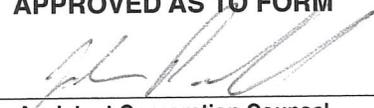
- **"Charter Review Commission"** refers to the body established to review and recommend amendments to the City of Mount Vernon's Charter.
- **"Vacancy"** refers to the unfilled seat on the Charter Review Commission that must be filled in accordance with Section 268(G) of the Mount Vernon City Code.

Section 4. Effective Date. This resolution shall take effect immediately upon its adoption by the City Council.

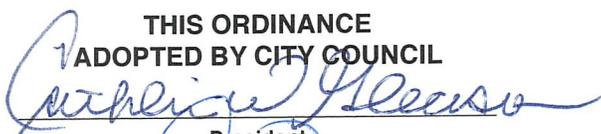


Councilperson

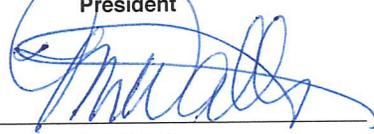
APPROVED AS TO FORM



Assistant Corporation Counsel
Deputy

THIS ORDINANCE ADOPTED BY CITY COUNCIL


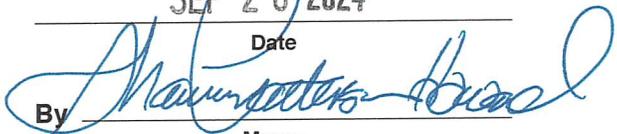
President

ATTEST: 

City Clerk

APPROVED
Dept. _____

APPROVED
SEP 26 2024

Date
By 

Mayor

Vote Taken As Follows: 9/25/2024
Boxhill: Yea Browne: Yea
Potat: Yea Thompson: Yea
Gleason: Yea Ordinance Adopted

35