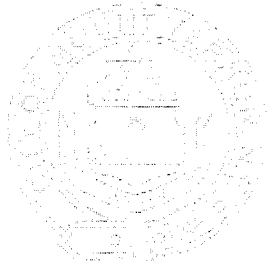


City of Mount Vernon, New York

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



Meeting Agenda - Final

Tuesday, September 30, 2025

3:00 PM

MAYOR'S CONFERENCE ROOM - 1st FLOOR

Board of Estimate & Contract

Call to Order: At 3:00 PM by Chairwoman Mayor Shawyn Patterson-Howard

Roll Call: Roll Call and reading of agenda items administered by City Clerk Nicole Bonilla.
Noticed in the Journal News.

OTHERS: Chief of Staff Malcolm Clark, Asst. Corporation Counsel Johan Powell, Deputy City Clerk Jordan A. Riullano, Assistant Comptroller Condell Hamilton

ADMINISTRATION OF THE AGENDA**RESOLUTIONS APPROVING ORDINANCES**

1. Department of Buildings: An Ordinance to Amend Legislation Regarding Building Safety Inspections Currently Conducted by the City's Third-Party Consultant
2. Assessor: An Ordinance Authorizing the Amendment of Ordinance No. 16, Adopted by the City Council on September 10, 2025, entitled "AN ORDINANCE AUTHORIZING THE REFUND OF TAXES PAID ON AN INCORRECTLY ASSESSED PROPERTY, PURSUANT TO RPTL SECTION 550 - HUDSON GREENWICH LLC, 545 SOUTH FULTON AVENUE (169.40-4088-8)
3. Department of Public Works: An Ordinance Authorizing the Mayor to Enter into a Non-Binding Memorandum of Understanding with the Center for Economic and Environmental Partnership, Inc (CEEP)
4. Office of the City Clerk: An Ordinance Authorizing Three (3) Office of the City Clerk Staff Members to attend OpenGov Permitting & Licensing User Group in Huntington, New York on October 1, 2025
5. Department of Public Safety: An Ordinance Authorizing the Mayor to Enter into a Memorandum of Understanding Between Westchester County and the City of Mount Vernon to Participate in the Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York from July 31, 2025, to July 30, 2030
6. Department of Management Services: An Ordinance Authorizing Approval for the Mayor to Enter into a One-Year Support Contract with SHI for Broadcom VMWare Support
7. Department of Public Works: An Ordinance Authorizing a Two-Year Agreement with County Excavating, LLC for Various Public Works / Construction Equipment Rentals, with a One-Year Renewal Option
8. Department of Recreation: An Ordinance Authorizing the Department of Recreation to Sponsor the Annual Pumpkin Fest and Carving Event at Hartley Park and Directing Support from other City Departments
9. Department of Planning & Community Development: An Ordinance Authorizing the Department of Planning & Community Development Staff to Attend the OpenGov Permitting & Licensing User Group Event - (Huntington, NY on October 1, 2025)

10. Office of the Mayor: An Ordinance Authorizing City Staff to Attend the OpenGov Long Island Permitting & Licensing User Group Event and Approving Reimbursement of Travel Expenses
11. Water Department: An Ordinance Authorizing Attendance to the Project Wet Facilitator Training

DEPARTMENT OF PUBLIC WORKS - REQUEST TO MAKE PARTIAL PAYMENT

12. Department of Public Works: A Resolution Authorizing Partial Payment No. 2 to Nuvista Designs General Contractors LLC for Emergency Repairs to the Roofing at the Police Department & Courts

SETTLEMENT(S)

13. Settlement of Lawsuit for Personal Injuries - Eduardo Baerga v. the City of Mount Vernon - \$390,000.00
14. A Resolution Authorizing Payment of a Settlement to the Environmental Protection Agency (EPA) for a Tank Field Citation at the 50 West Third Street Firehouse

Agenda was concluded at 3:53PM

Chairwoman Patterson-Howard asked if there was new business:

Mayor asked for a motion to adjourn.

There being no further business, the meeting was adjourned at 3:53PM.

SEP 30 2025

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RESOLVED, that a resolution adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing the Amendment of Legislation Regarding Building Safety Inspections Currently Conducted by the City's Third-Party Consultant, as follows:

Revision of Inspection Fees.

- A. The Department of Buildings' fee schedule is hereby amended to reflect the following inspection fees:
- 1. Inspection Fee – Multiple Dwelling or Nonresidential Building with fewer than ten (10) dwelling units: \$500.00 per building.
 - 2. Additional Fee – For every additional ten (10) dwelling units or portion thereof: \$500.00.

Fines for Non-Compliance.

- A. Failure to Register:

Owners of multiple dwellings who do not complete registration for inspection within 45 days after receiving the third notice (scheduled for mid-September 2025) shall incur a fine of \$1,000 per month until compliance is achieved, to be deposited into Budget Code A2610.2 (Departmental Fines); be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

**ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT**


Clerk

1

SEP 24 2025

18

**AN ORDINANCE TO AMEND LEGISLATION
REGARDING BUILDING SAFETY INSPECTIONS
CURRENTLY CONDUCTED BY THE CITY'S
THIRD-PARTY CONSULTANT**

Whereas, in correspondence dated August 21, 2025, the Commissioner of the Department of Buildings formally requested authorization to revise the City's building safety inspection program, to adjust inspection fees, and to impose fines on property owners who fail to register for required inspections, thereby ensuring compliance with State and local building safety requirements and protecting public health, safety, and welfare; and

Whereas, the City Council of Mount Vernon previously enacted legislation, pursuant to Section 1203.2(d) of Title 19 NYCRR, authorizing the use of a third-party consultant to perform fire safety and property maintenance inspections of Multiple Dwelling and Nonresidential occupancies to ensure enforcement of the Uniform Code; and

Whereas, Multiple Dwelling and Nonresidential occupancies are required by law to register for such inspections to protect the health, safety, and welfare of residents and occupants; and

Whereas, despite extensive outreach efforts by the Building Department and Fire Department—including mailed notices, social media postings, Open Gov announcements, and door-to-door campaigns—less than ten percent (10%) of affected property owners have complied with the registration requirement; and

Whereas, the City has determined that this low compliance rate creates a serious risk to life safety, as these inspections address fire hazards and property maintenance issues that have not been consistently enforced for approximately two decades; and

Whereas, the initial implementation of the third-party inspection program has incurred greater costs than originally anticipated, necessitating adjustments to inspection fees and the establishment of fines for non-compliance to ensure sufficient resources for enforcement; **Now, Therefore, Be It Resolved That**

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

Section 1. Purpose and Intent. This Ordinance is enacted to revise the City's building safety inspection program, to adjust inspection fees, and to impose fines on property owners who fail to register for required inspections, thereby ensuring compliance with State and local building safety requirements and protecting public health, safety, and welfare.

Section 2. Revision of Inspection Fees.

A. The Department of Buildings' fee schedule is hereby amended to reflect the following inspection fees:

1. Inspection Fee – Multiple Dwelling or Nonresidential Building with fewer than ten (10) dwelling units: \$500.00 per building.
2. Additional Fee – For every additional ten (10) dwelling units or portion thereof: \$500.00.

SEP 24 2025
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Section 3. Registration Requirement.

- A. Owners of all Multiple Dwelling and Nonresidential occupancies listed on the City’s Inspection List are required to register their properties with the Department of Buildings or its designated third-party consultant for safety inspections.
- B. Registration must be completed within forty-five (45) days after the third and final notice issued by the City.

Section 4. Fines for Non-Compliance.

- A. Failure to Register:
 - 1. Owners of multiple dwellings who do not complete registration for inspection within 45 days after receiving the third notice (scheduled for mid-September 2025) shall incur a fine of \$1,000 per month until compliance is achieved, to be deposited into Budget Code A2610.2 (Departmental Fines).
- B. Continued Non-Compliance:
 - 1. If the owner fails to register within twelve (12) months after the third notice, the property will remain subject to escalating enforcement measures as determined by the City.
 - 2. The City may place a lien on the property for unpaid fines pursuant to applicable law.


Section 5. Enforcement Authority. The Commissioner of the Department of Buildings, in coordination with the Fire Department and the City’s third-party consultant, shall have the authority to enforce this Ordinance and to adopt any necessary rules and procedures to implement its provisions.

Section 6. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this Ordinance is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

Section 7. Effective Date. This ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/24/2025
Boxhill: Yea Gleason: Yea
Poteat: Yea Thompson: Yea
Browne: Yea Ordinance Adopted

APPROVED AS TO FORM

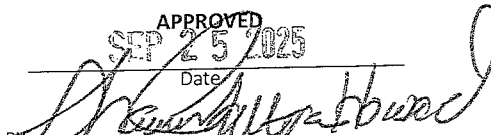


Assistant Corporation Counsel

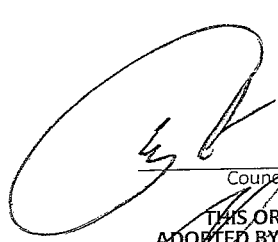
APPROVED

SEP 25 2025

Date

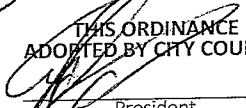


BY Mayor



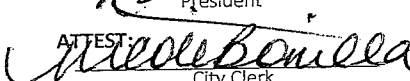
Councilperson

THIS ORDINANCE ADOPTED BY CITY COUNCIL



President

ATTEST:



City Clerk

Page | 2

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SEP 30 2025

2

RESOLVED, that a resolution adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing the Amendment of Ordinance No. 16, Adopted by the City Council on September 10, 2025, entitled "AN ORDINANCE AUTHORIZING THE REFUND OF TAXES PAID ON AN INCORRECTLY ASSESSED PROPERTY, PURSUANT TO RPTL SECTION 550 - (HUDSON GREENWICH LLC, 545 SOUTH FULTON AVENUE (169.40-4088-8) -

2024 [5] County Tax Levy: - \$441.66

; be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

2

SEP 24 2025
15

AN ORDINANCE AUTHORIZING THE AMENDMENT
OF ORDINANCE NO. 16, ADOPTED BY THE CITY
COUNCIL ON SEPTEMBER 10, 2025, ENTITLED
“AN ORDINANCE AUTHORIZING THE REFUND
OF TAXES PAID ON AN INCORRECTLY ASSESSED
PROPERTY: HUDSON GREENWICH LLC,
545 SOUTH FULTON AVENUE (169.40-4088-8),
PURSUANT TO RPTL SECTION 550”

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

Section 1. The first decretal paragraph, the sixth Whereas clause, and Section 1 of Ordinance No. 16, adopted by the City Council on September 10, 2025, entitled “AN ORDINANCE AUTHORIZING THE REFUND OF TAXES PAID ON AN INCORRECTLY ASSESSED PROPERTY: HUDSON GREENWICH LLC, 545 SOUTH FULTON AVENUE (169.40-4088-8), PURSUANT TO RPTL SECTION 550” is hereby amended as follows:

Whereas, in correspondence dated September 17, 2025, [September 8, 2025], the Commissioner of the Department of Assessment, has formally requested authorization to amend Ordinance No. 16, adopted by the City Council on September 10, 2025, for the Comptroller of the City of Mount Vernon to issue refunds for overpaid taxes on the subject property for the 2024 and 2025 tax years; and

Whereas, pursuant to the Real Property Tax Law (RPTL) Section 550, the City of Mount Vernon recognizes that an error in an essential fact occurred in the assessment of a certain property, which was incorrectly assessed with improvements although the property was vacant; and

Whereas, such error resulted in an incorrect assessed valuation of \$3,600, rather than the correct assessed valuation of \$1,300, for the tax years 2024 and 2025; and

Whereas, the property owner, relying upon the Comptroller’s Office and Infotaxonline, paid in full the 2024 and 2025 City and County tax bills, as well as the 2024 Mount Vernon School District taxes and the first installment of the 2025 School District taxes; and

Whereas, the application for correction of the error (Form RP-556) was duly submitted and approved by the Executive Director of Westchester County, thereby validating the entitlement of the property owner to a refund of overpaid taxes; and

Whereas, the City of Mount Vernon is responsible for refunding the excess City and County tax levies, and the Mount Vernon School District is responsible for refunding the excess School District tax levies, based on the corrected assessed valuation of \$1,300;
Now, Therefore, Be It Resolved That

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

Section 1. Authorization of Refunds – City of Mount Vernon and County of Westchester. The Comptroller of the City of Mount Vernon is hereby authorized and directed to issue refunds for overpaid taxes on the subject property: Hudson Greenwich LLC, 545 South Fulton Avenue (169.40-4088-8) for the 2024 and 2025 tax years, as follows:

- 2024 City Tax Levy: - \$1,152.90
- 2024 [5] County Tax Levy: - \$ 441.66
- 2025 City Tax Levy: - \$1,194.40
- 2025 County Tax Levy: - \$ 400.16

15

SEP 24 2025

15

Section 2. Authorization of Refunds – Mount Vernon School District. The Mount Vernon School District is hereby authorized and directed to issue refunds for overpaid school tax levies on the subject property for the 2024 and 2025 tax years, as follows:

- 2024 School Tax Levy:- \$2,200.41
- 2025 School Tax Levy:- \$2,278.41

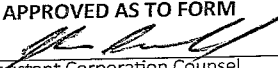
Section 3. Verification Procedures. The Assessor’s Office and the Comptroller’s Office shall implement and maintain additional verification procedures to prevent the recurrence of errors in assessment related to vacant property and improvements.

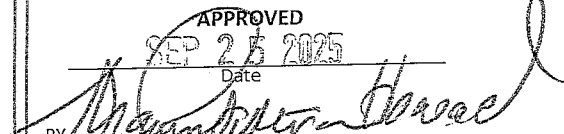
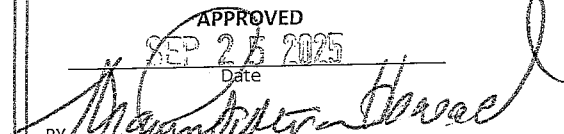
Section 4. Funding. Funding for this refund shall be disbursed from Budget Line A1964.492 (Tax Cert Refunds).

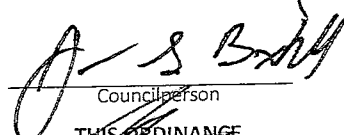
Section 5. Effective Date. This Ordinance shall take effect immediately upon adoption by the City Council and approval by the Board of Estimate & Contract.

New matter underlined
Deleted matter in brackets []


Vote Taken As Follows: 9/24/2025
Boxhill: Yea Gleason: Yea
Poteat: Yea Thompson: Yea
Browne: Yea Ordinance Adopted


APPROVED AS TO FORM

Assistant Corporation Counsel

APPROVED
SEP 25 2025
Date

BY  Mayor


Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL


President

ATTEST:

City Clerk

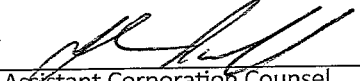
SEP 30 2025

3

RESOLVED, that an ordinance adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing the Mayor to Enter into a Non-Binding Memorandum of Understanding with the Center for Economic and Environmental Partnership, Inc (CEEP) - (the authorization granted herein shall remain effective for the duration of the grant funding provided through the New York Community Trust, which is anticipated to extend through March 31, 2026, unless otherwise extended or modified by the City Council); be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

3

SEP 24 2025

3

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO A NON-BINDING MEMORANDUM OF
UNDERSTANDING WITH THE CENTER FOR ECONOMIC
AND ENVIRONMENTAL PARTNERSHIP, INC. (CEEP)**

Whereas, in a letter dated September 8, 2025, the Director of Sustainability and the Commissioner of Public Works formally requested authorization for the Mayor to execute a non-binding Memorandum of Understanding with the Center for Economic and Environmental Partnership, Inc. (CEEP), enabling the City's participation in the Climate Action Planning Institute and enhancing Mount Vernon's ability to advance state-aligned climate objectives; and

Whereas, the City of Mount Vernon is committed to advancing sustainability, environmental justice, and climate resilience in alignment with New York State's climate and clean energy goals; and

Whereas, the Hudson Valley Regional Council's Climate Action Planning Institute (CAPI), with support from the New York State Department of Environmental Conservation's Climate Smart Communities program, provides structured technical assistance to municipalities for developing comprehensive climate action plans, greenhouse gas inventories, and resilience strategies; and

Whereas, the Center for Economic and Environmental Partnership, Inc. (CEEP), a nonprofit organization with decades of experience supporting municipalities across New York State, has secured grant funding through the New York Community Trust to provide technical and administrative support—including a part-time Sustainability Coordinator—through March 2026; and

Whereas, participation in CAPI and partnership with CEEP will enhance Mount Vernon's ability to:

- Engage fully in regional climate action planning;
- Advance Climate Smart Communities (CSC) and Clean Energy Communities (CEC) program goals;
- Position the City for state and federal recognition, technical assistance, and future grant opportunities;
- Demonstrate regional leadership in sustainability, environmental justice, and workforce development without imposing immediate financial burdens on the City budget; and

Whereas, entering into a non-binding Memorandum of Understanding with CEEP is necessary to formalize this strategic collaboration and ensure Mount Vernon maximizes its participation in CAPI; **Now, Therefore, Be It Resolved That**

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

Section 1. Authorization. The Mayor of the City of Mount Vernon is hereby authorized to enter into a non-binding Memorandum of Understanding with the Center for Economic and Environmental Partnership, Inc. (CEEP) to facilitate the City's participation in the Climate Action Planning Institute and to strengthen Mount Vernon's capacity to implement state-aligned climate goals.

3

Section 2. Scope of MOU. The Memorandum of Understanding shall include, but not be limited to:

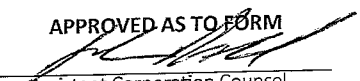
- (a) Provision of a part-time Sustainability Coordinator (approximately eight hours per week) to assist with project management, reporting, and interdepartmental coordination.
- (b) Technical assistance to advance Climate Smart Communities and Clean Energy Communities programs.
- (c) Engagement and support for the City's full participation in the Climate Action Planning Institute.
- (d) Confirmation that the agreement is non-binding and imposes no direct financial obligation on the City.

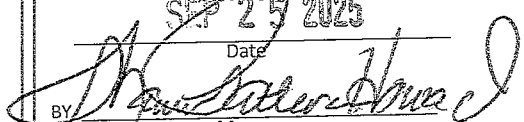
Section 3. Term. The authorization granted herein shall remain effective for the duration of the grant funding provided through the New York Community Trust, which is anticipated to extend through March 31, 2026, unless otherwise extended or modified by the City Council.

Section 4. Implementation. The Mayor, Corporation Counsel, and all appropriate City departments are authorized and directed to take any and all necessary actions to execute and implement the terms of the Memorandum of Understanding.

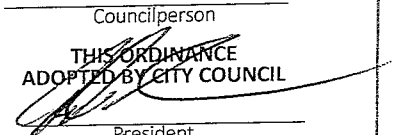
Section 5. Effective Date. This ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/24/2025
Boxhill: Yea Gleason: Yea
Potest: Yea Thompson: Yea
Browne: Yea Ordinance Adopted

APPROVED AS TO FORM

Assistant Corporation Counsel

APPROVED
SEP 25 2025
Date

BY Mayor


Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL

President

ATTEST

City Clerk

SEP 30 2025

4

RESOLVED, that a resolution adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing Three (3) Office of the City Clerk Staff Members to Attend the OpenGov Permitting & Licensing User Group in Huntington, New York, on October 1, 2025 – (the City Comptroller shall be authorized to reimburse mileage and toll expenses incurred by the attendees, not to exceed \$100.00, chargeable to Budget Line A1410.402 (Travel Expense)); be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

4

SEP 24 2025

5

AN ORDINANCE AUTHORIZING THREE (3) OFFICE OF THE CITY CLERK STAFF MEMBERS TO ATTEND THE OPENGov PERMITTING & LICENSING USER GROUP IN HUNTINGTON, NEW YORK, ON OCTOBER 1, 2025

Whereas, in correspondence dated September 12, 2025, the City Clerk formally requested authorization for three Office of the City Clerk are hereby authorized to permit three (3) staff members—N’Quan Stephens, Megan Blades, and Jeralyn Escamilla—to attend the OpenGov Permitting & Licensing User Group in Huntington, New York, on October 1, 2025; and

Whereas, the Office of the City Clerk utilizes OpenGov’s permitting and licensing platform to process all applications, permits, and licenses received by the Clerk’s Office; and

Whereas, the City Clerk’s staff seeks to make all applications, permits, and licenses fully accessible and managed through OpenGov to increase efficiency, transparency, and service to the residents of Mount Vernon; and

Whereas, OpenGov is hosting a Permitting & Licensing User Group on Wednesday, October 1, 2025, from 7:30 a.m. to 3:00 p.m. at 100 Main Street, Huntington, New York, to provide training and an opportunity for local governments to share best practices and strengthen community connections; and

Whereas, attendance at this event by three (3) Clerk’s Office staff—N’Quan Stephens (Senior Accountant), Megan Blades (Administrative Aide), and Jeralyn Escamilla (Records Specialist)—is necessary to ensure the City fully utilizes OpenGov’s solutions and continues to improve service delivery; and

Whereas, the event is free of charge, and reimbursement for mileage and tolls, not to exceed \$100.00, will be expensed from Budget Line A1410.402 (Travel Expense);
Now, Therefore, Be It Resolved That

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

Section 1. Authorization. The City Council hereby grants authorization for three (3) staff members—N’Quan Stephens, Megan Blades, and Jeralyn Escamilla—to participate in the OpenGov Permitting & Licensing User Group event in Huntington, New York, on October 1, 2025.

Section 2. Travel Expense. The City Comptroller shall be authorized to reimburse mileage and toll expenses incurred by the attendees, not to exceed \$100.00, chargeable to Budget Line A1410.402 (Travel Expense).

Section 3. Effective Date. This Ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/24/2025
Boxhill: Yea Gleason: Yea
Poteat: Yea Thompson: Yea
Browne: Yea Ordinance Adopted

APPROVED AS TO FORM
Assistant Corporation Counsel
APPROVED
SEP 25 2025
Date
Mayor

Councilperson
THIS ORDINANCE
ADOPTED BY CITY COUNCIL
President
ATTEST
City Clerk

5


SEP 30 2025

5

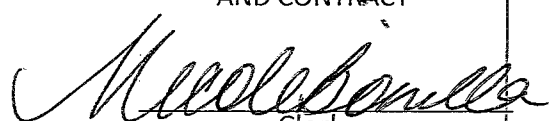
RESOLVED, that a resolution adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing the Mayor to Enter into a Memorandum of Understanding Between Westchester County and the City of Mount Vernon to Participate in the Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York from July 31, 2025, to July 30, 2030; be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

5

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO A MEMORANDUM OF UNDERSTANDING
BETWEEN WESTCHESTER COUNTY AND THE CITY OF
MOUNT VERNON TO PARTICIPATE IN THE MUTUAL
AID AND RAPID RESPONSE PLAN FOR THE POLICE
DEPARTMENTS OF WESTCHESTER COUNTY,
NEW YORK, FROM JULY 31, 2025, TO JULY 30, 2030**

Whereas, in correspondence dated September 11, 2025, the Commissioner of the Department of Public Safety formally requested authorization for Mayor Shawyn Patterson-Howard to execute the revised Memorandum of Understanding (MOU) between Westchester County and the City of Mount Vernon for participation in the Westchester County Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York, for the period July 31, 2025, through July 30, 2030; and

Whereas, Westchester County has established a Mutual Aid and Rapid Response Plan (the "Plan") to ensure timely and coordinated law enforcement assistance among the Police Departments of Westchester County, New York; and

Whereas, the City of Mount Vernon has previously participated in similar Inter-Municipal Agreements supporting the Plan, demonstrating the value and effectiveness of regional cooperation and shared resources; and

Whereas, the purpose of the Plan is to formalize operational procedures for providing manpower, equipment, and other resources to assist participating agencies in times of critical need or emergency response; and

Whereas, it is in the best interest of the City of Mount Vernon to continue its participation in the Plan by entering into a revised Memorandum of Understanding (MOU) with Westchester County, thereby ensuring that the City's Police Department both receives and provides Mutual Aid and Rapid Response services as necessary; and

Whereas, the proposed term of the MOU is from July 31, 2025, through July 30, 2030, extending the City's longstanding collaboration with the County and other municipal police departments; **Now, Therefore, Be It Resolved That**

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

Section 1. Authorization. The City Council hereby authorizes Mayor Shawyn Patterson-Howard to execute the revised Memorandum of Understanding (MOU) between Westchester County and the City of Mount Vernon for participation in the Westchester County Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York, for the period July 31, 2025, through July 30, 2030.

Section 2. Terms and Conditions. The MOU shall be in substantially the same form as the draft attached hereto and made a part of this Ordinance, subject to such minor changes or modifications as the Mayor and Corporation Counsel shall deem necessary to protect the interests of the City.

Section 3. Effective Date. This Ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

APPROVED AS TO FORM

Assistant Corporation Counsel

APPROVED

SEP 25 2025
Date

BY

Mayor

Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL

President

ATTEST

City Clerk

SEP 30 2025

6


RESOLVED, that a resolution adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing Approval for the Mayor to enter into a One-Year Support Contract with SHI for Broadcom VMWare Support – (\$61,244.80 to be paid from Budget Code 1680.215); be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

6

SEP 24 2025

AN ORDINANCE AUTHORIZING APPROVAL
FOR THE MAYOR TO ENTER INTO A ONE-YEAR
SUPPORT CONTRACT WITH SHI FOR BROADCOM
VMWARE SUPPORT

Whereas, in correspondence dated September 18, 2025, the Commissioner of the Department of Management Services formally requested authorization for the Mayor to enter into a one-year support contract with SHI for Broadcom VMware support, in the amount of \$61,244.80, to ensure continued support for the City's critical VMware environment; and

Whereas, the Department of Management Services has requested approval from the City Council to enter into a one-year support contract with Broadcom through SHI for the City's VMware software environment; and

Whereas, the Broadcom VMware environment is essential to the critical operations of both City Hall and the Mount Vernon Police Department; and

Whereas, the existing support contract for Broadcom VMware expires on October 31, 2025, necessitating a timely renewal to ensure uninterrupted support for the City's production systems; and

Whereas, Broadcom, the owner of VMware, has implemented restrictions on authorized support providers, and SHI has submitted the most cost-effective quote among the three obtained by the Department of Management Services; and

Whereas, the one-year contract payment will be Sixty-One Thousand Two Hundred Forty-Four Dollars and Eighty Cents (\$61,244.80), to be paid from Budget Code 1680.215; **Now, Therefore, Be It Resolved That**

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

Section 1. Authorization. The City Council hereby authorizes the Mayor to enter into a one-year support contract with SHI for Broadcom VMware support, in the amount of \$61,244.80, to ensure continued support for the City's critical VMware environment.

Section 2. Funding. Payment for the contract shall be made from Budget Code 1680.215 as allocated in the current fiscal year budget.

Section 3. Execution. The Mayor is hereby authorized and directed to execute all necessary documents to effectuate the terms of this ordinance and to take any other actions required to carry out the intent of this authorization.

Section 4. Effective Date. This ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/24/2025
Boxhill: Yea Gleason: Yea
Poteat: Yea Thompson: Yea
Browne: Yea Ordinance Adopted

APPROVED AS TO FORM
Assistant Corporation Counsel
APPROVED
SEP 25 2025
Date
BY *Mark Pater-Horsey*
Mayor

Carlin Brown
Councilperson
THIS ORDINANCE
ADOPTED BY CITY COUNCIL
Michael Bonilla
President
ATTEST:
Nicole Bonilla
City Clerk

SEP 30 2025

7

RESOLVED, that a resolution adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing a Two-Year Agreement with County Excavating, LLC for Various Public Works / Construction Equipment Rentals, with a One-Year Renewal Option – (encumbrances and payments under this agreement shall be made from approved Operating and/or Capital fund lines, not to exceed budgeted appropriations for each fiscal year, as determined by the Comptroller); be, and the same is hereby approved.

HELD

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT

Clerk

7

SEP 24 2025

25

**AN ORDINANCE AUTHORIZING A TWO-YEAR
AGREEMENT WITH COUNTY EXCAVATING, LLC
FOR VARIOUS PUBLIC WORKS / CONSTRUCTION
EQUIPMENT RENTALS, WITH A ONE-YEAR
RENEWAL OPTION**

Whereas, in correspondence dated September 15, 2025, the Commissioner of the Department of Public Works formally requested authorization for the Mayor to execute a contract with County Excavating, LLC for "Various Public Works / Construction Equipment Rentals," designating County Excavating, LLC as the lowest responsive and responsible bidder in accordance with the evaluated bid matrix attached hereto and incorporated by reference; and

Whereas, the Department of Public Works ("DPW") publicly advertised and received sealed bids for "Various Public Works / Construction Equipment Rentals," with a competitive bid opening held on August 19, 2025; and

Whereas, three firms—Zonzini Pipeline Inc., Fred A. Cook, Jr., Inc., and County Excavating, LLC—submitted complete bid packages, which were evaluated for responsiveness, responsibility, and cost-effectiveness in accordance with procurement requirements; and

Whereas, the bid evaluation determined that County Excavating, LLC submitted the lowest responsive and responsible bid, offering the most cost-effective pricing profile to meet the City's operational needs for construction equipment rentals; and

Whereas, it is in the best interest of the City of Mount Vernon to authorize a two (2) year agreement, with an additional one (1) year renewal option exercisable at the City's sole discretion, to ensure timely access to essential construction equipment at competitive rates;
Now, Therefore, Be It Resolved That

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

Section 1. – Authorization of Contract Award. The City Council hereby awards the contract for "Various Public Works / Construction Equipment Rentals" to County Excavating, LLC, as the lowest responsive and responsible bidder, consistent with the evaluated bid matrix attached hereto and made a part of this ordinance.

Section 2. – Term and Renewal. The Mayor is authorized to execute a two (2) year agreement with County Excavating, LLC, with one (1) additional one-year renewal option, exercisable at the City's sole discretion under the same terms and conditions, subject to the approval of the Corporation Counsel as to form.

Section 3. Funding and Payments. Encumbrances and payments under this agreement shall be made from approved Operating and/or Capital fund lines, not to exceed budgeted appropriations for each fiscal year, as determined by the Comptroller.

Section 4. Non-Exclusivity. This award is non-exclusive, and the City retains the right to utilize other contracts, intermunicipal agreements, or emergency procurements when determined to be in the City's best interest.

Section 5. Effective Date. This ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

APPROVED AS TO FORM

Assistant Corporation Counsel

APPROVED

SEP 24 2025

Date

BY

Mayor

Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL

President

ATTEST:

City Clerk

Vote Taken As Follows: 9/24/2025

Boxhill: Abstain Gleason: Yea

Poteat: Abstain Thompson: Yea

Browne: Yea Ordinance Not Adopted

25

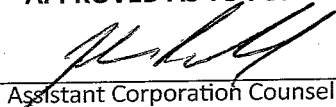
SEP 30 2025

8

RESOLVED, that an ordinance adopted by the City Council September 24, and signed by the Mayor on September 25, 2025, authorizing the Department of Recreation to Sponsor the Annual Pumpkin Fest and Carving Event at Hartley Park and Directing Support from other City Departments - (Saturday, October 25, 2025, from 1:00 p.m. to 4:00 p.m. at Hartley Park, with a rain date of Sunday, October 26, 2025, and is proposed to occur annually on the fourth Saturday of October each year; funding for the event will be drawn from Budget Code A 7310.447 in the amount of \$2,500 for event materials and supplies); be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

8

SEP 24 2025

8

**AN ORDINANCE AUTHORIZING THE DEPARTMENT
OF RECREATION TO SPONSOR THE ANNUAL
PUMPKIN FEST AND CARVING EVENT AT
HARTLEY PARK AND DIRECTING SUPPORT
FROM OTHER CITY DEPARTMENTS**

Whereas, in correspondence dated September 2, 2025, the Commissioner of the Department of Recreation formally requested authorization to sponsor and conduct the Annual Pumpkin Fest and Carving Event at Hartley Park on the fourth Saturday of October of each year from 1:00 p.m. to 4:00 p.m., with a rain date on the following Sunday, from 1:00 p.m. to 4:00 p.m., beginning with the 8th Annual Pumpkin Fest on October 25, 2025; and

Whereas, the Department of Recreation has requested authorization to sponsor the 8th Annual Pumpkin Fest and Carving Event, a cherished community tradition featuring games, pumpkin carving contests, and family activities for all ages; and

Whereas, the event is scheduled for Saturday, October 25, 2025, from 1:00 p.m. to 4:00 p.m. at Hartley Park, with a rain date of Sunday, October 26, 2025, and is proposed to occur annually on the fourth Saturday of October each year; and

Whereas, the Department of Public Safety has reviewed the request and recommends approval, including deployment of Auxiliary Police, sector car coverage, and a supervisor's oversight, with the discretion to hire additional officers on an overtime basis if needed, at the event organizer's expense; and

Whereas, the Department of Public Works (DPW) has no objections and has agreed to provide post-event clean-up, including garbage trucks for removal of hay and pumpkins; and

Whereas, the Mount Vernon Youth Bureau (MVYB) has agreed to provide volunteers, cotton candy, and popcorn to enhance the festivities; and

Whereas, the Mount Vernon Fire Department has expressed full support for the event and its role in fostering community engagement; and

Whereas, funding for the event will be drawn from Budget Code A 7310.447 in the amount of \$2,500 for event materials and supplies; and

Whereas, the City Council recognizes the importance of community events that strengthen civic pride, promote recreation, and enrich the cultural life of Mount Vernon residents; **Now, Therefore, Be It Resolved That**

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

Section 1. Authorization of Event. The Department of Recreation is hereby authorized to sponsor and conduct the Annual Pumpkin Fest and Carving Event at Hartley Park on the fourth Saturday of October of each year, with a rain date on the following Sunday, from 1:00 p.m. to 4:00 p.m., beginning with the 8th Annual Pumpkin Fest on October 25, 2025.

Section 2. Department of Public Safety Support. The Mount Vernon Police Department shall:

- (a) Deploy Auxiliary Police to patrol the event.
- (b) Assign a sector car and supervisor to provide special attention during the event.
- (c) Authorize the patrol supervisor to hire additional officers on an overtime basis if required, at the expense of the event organizer.

8

Section 3. Department of Public Works Support. The Department of Public Works shall:

- (a) Assist with post-event clean-up.
- (b) Provide garbage trucks to remove hay, pumpkins, and other event debris.

Section 4. Youth Bureau Participation. The Mount Vernon Youth Bureau shall provide volunteers, cotton candy, and popcorn to support the event.

Section 5. Fire Department Support. The Mount Vernon Fire Department shall provide necessary assistance to ensure public safety and support for this community event.

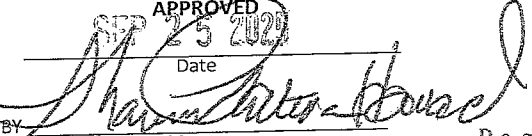
Section 6. Funding. Funding for the Annual Pumpkin Fest and Carving Event shall be appropriated Budget Code A 7310.447 in the amount of \$2,500 for materials and supplies.


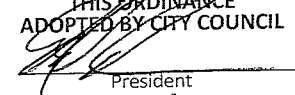

Section 7. Effective Date. This Ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/24/2025
Boxhill: Yea Gleason: Yea
Poteat: Yea Thompson: Yea
Browne: Yea Ordinance Adopted

APPROVED AS TO FORM

Assistant Corporation Counsel

APPROVED
SEP 25 2025
Date

BY _____
Mayor


Councilperson
THIS ORDINANCE
ADOPTED BY CITY COUNCIL

President
ATTEST:

City Clerk

SEP 30 2025

9

RESOLVED, that a resolution adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing the Department of Planning & Community Development Staff to attend the OpenGov Permitting & Licensing User Group Event - (Huntington, NY on October 1, 2025; No registration fee shall be incurred for attendance at this event. Any incidental expenses, including travel and meals, shall be paid from the Department's training budget account A8021.451, as previously allocated); be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

**ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT**


Clerk

9

SEP 24 2025

28

AN ORDINANCE AUTHORIZING THE DEPARTMENT
OF PLANNING AND COMMUNITY DEVELOPMENT
STAFF TO ATTEND THE OPENGov PERMITTING
& LICENSING USER GROUP EVENT

Whereas, in correspondence dated September 16, 2025, the Commissioner of the Department of Planning & Community Development formally requested authorization to send the staff members named below to attend the OpenGov Permitting & Licensing User Group Event on Wednesday, October 1, 2025, in Huntington, New York; and

Whereas, the Department of Planning and Community Development has requested approval for staff attendance at the OpenGov Permitting & Licensing User Group Event scheduled for Wednesday, October 1, 2025, in Huntington, New York; and

Whereas, this full-day, in-person event is designed exclusively for OpenGov municipal leaders to exchange best practices, strengthen regional connections, and explore advancements in OpenGov’s permitting and licensing solutions, including customer panels, product training, networking opportunities, and a preview of upcoming features; and

Whereas, participation in this event will enhance the Department’s capacity to modernize permitting and licensing processes, promote inter-municipal collaboration, and support Mount Vernon’s goals of improving service delivery and operational efficiency; and

Whereas, the event is free to attend, and any incidental costs, including travel and meals, will be covered under the Department’s approved training budget, A8021.451; and

Whereas, the staff members proposed to attend are:

- **Lukas Herbert** – Assistant Commissioner
- **William Hyland** – Senior Planner
- **Maria Pace** – Land Use Boards Secretary;

Now, Therefore, Be It Resolved That

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

Section 1. Authorization Granted. The City Council hereby authorizes the Department of Planning and Community Development to send the above-named staff members to attend the OpenGov Permitting & Licensing User Group Event on Wednesday, October 1, 2025, in Huntington, New York.

Section 2. Funding. No registration fee shall be incurred for attendance at this event. Any incidental expenses, including travel and meals, shall be paid from the Department’s training budget account A8021.451, as previously allocated.

Section 3. Purpose and Benefit. Attendance at this event is deemed to be in the best interest of the City of Mount Vernon as it will strengthen the Department’s knowledge of permitting and licensing systems, improve customer service, and foster regional partnerships with other municipalities utilizing OpenGov systems.

Section 4. Effective Date. This Ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

Vote Taken As Follows: 9/24/2025
Boxhill: Yea Gleason: Yea
Potest: Yea Thompson: Yea
Browne: Yea Ordinance Adopted

APPROVED AS TO FORM
Assistant Corporation Counsel
APPROVED
SEP 25 2025
Date
BY Mayor

Councilperson
THIS ORDINANCE
ADOPTED BY CITY COUNCIL
President
ATTEST: City Clerk

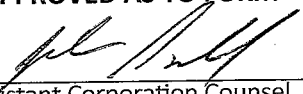
SEP 30 2025

10

RESOLVED, that a resolution adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing City Staff to Attend the OpenGov Long Island Permitting & Licensing User Group Event and Approving Reimbursement of Travel Expenses – (staff members from the Fire and Building Departments to attend on Wednesday, October 1, 2025, from 7:30 a.m. to 3:00 p.m. to be charged as follows: Fire Department – A3410.451 Training; and Building Department – A3620.451 Training); be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

10

Vote Taken As Follows: 9/24/2025
Boxhill: Yea Gleason: Yea
Poteat: Yea Thompson: Yea
Browne: Yea Ordinance Adopted

SEP 24 2025
2

AN ORDINANCE AUTHORIZING CITY STAFF
TO ATTEND THE OPENGOV LONG ISLAND
PERMITTING & LICENSING USER GROUP
EVENT AND APPROVING REIMBURSEMENT
OF TRAVEL EXPENSES

Whereas, in correspondence dated September 16, 2025, the Deputy Chief of Staff formally requested authorization for designated staff members from the Fire and Building Departments to attend the OpenGov Long Island Permitting & Licensing User Group scheduled for Wednesday, October 1, 2025, from 7:30 a.m. to 3:00 p.m. at 100 Main Street, Huntington, NY 11743, and is designed exclusively for municipal representatives engaged in permitting and licensing; and

Whereas, the City of Mount Vernon is committed to modernizing its permitting and licensing systems to improve efficiency, transparency, and service delivery for residents and businesses; and

Whereas, Attendance at this user group provides an opportunity to:

- Build local connections by networking with regional municipal peers;
- Learn from real-world successes through presentations by municipal leaders and OpenGov customers;
- Gain hands-on product training through interactive breakout sessions with OpenGov staff; and
- Preview upcoming product features and provide feedback to enhance implementation in Mount Vernon; and
- Participation will ensure the City is leveraging OpenGov effectively and aligning with regional best practices; and

Whereas, the following staff members are designated as liaisons for their respective departments:

- **Fire Department:** Sylver Jones; Dorothy Anderson; Alternate: Ted Beale
- **Building Department:** Hediye Mamak; Dawn Asbury; Jamie Pessin; and

Whereas, pursuant to the City's travel policy, reimbursement for mileage and tolls for travel beyond 35 miles requires both Council and Board of Estimate approval, and Huntington, NY, exceeds this limit; and

Whereas, the event itself is free to attend, and only mileage and toll expenses will be reimbursed from the following departmental budget lines:

- Fire Department – A3410.451 Training
- Building Department – A3620.451 Training;


Now, Therefore, Be It Ordained By The City Council of the City of Mount Vernon, New York:

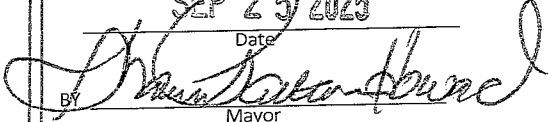
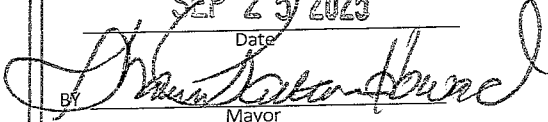
Section 1. Authorization to Attend. The City Council hereby authorizes the designated staff members from the Fire and Building Departments to attend the OpenGov Long Island Permitting & Licensing User Group event on October 1, 2025, in Huntington, NY.

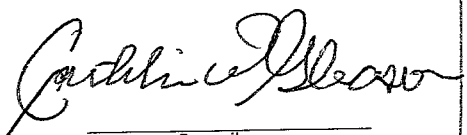
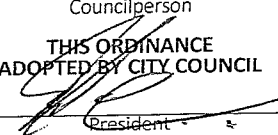

Section 2. Reimbursement Approval. Reimbursement for mileage and tolls associated with attendance at this event is hereby approved in accordance with the City's travel policy. Such reimbursement shall be made from the departmental budget codes listed in the Whereas clauses above.

Section 3. Compliance with Travel Policy. This authorization and reimbursement approval shall serve as compliance with the requirement for prior Council approval for travel exceeding the 35-mile threshold.

Section 4. Effective Date. This Ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

APPROVED AS TO FORM

Assistant Corporation Counsel

APPROVED
SEP 25 2025
Date

BY  Mayor


Councilperson
THIS ORDINANCE
ADOPTED BY CITY COUNCIL

President
ATTEST:

City Clerk


SEP 30 2025

11


RESOLVED, that a resolution adopted by the City Council on September 24, 2025, and signed by the Mayor on September 25, 2025, authorizing Attendance to the Project Wet Facilitator Training – (September 23 to September 26, 2025; all associated expenses, including registration, travel, lodging, and incidentals, not to exceed \$1,300, shall be paid from budget code 001-581-581001, Staff Development & Training); be, and the same is hereby approved.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

11

SEP 24 2025

4

AN ORDINANCE AUTHORIZING ATTENDANCE
TO THE PROJECT WET FACILITATOR TRAINING

Whereas, in correspondence dated September 19, 2025, the Commissioner of the Board of Water Supply formally requested authorization for one (1) employee of the Board of Water Supply to attend the Project WET Facilitator Training at the Onondaga Lake Visitors Center in Syracuse, NY, from September 23 to September 26, 2025; and

Whereas, the Board of Water Supply has requested authorization for one (1) employee to attend the Project WET Facilitator Training to be held at the Onondaga Lake Visitors Center in Syracuse, New York, from September 23 through September 26, 2025; and

Whereas, the Project WET training directly supports the City's WaterWise initiative, a new K-12 and community-focused water literacy program designed to expand educational outreach, engage underserved communities, align with statewide STEM and environmental education standards, and promote long-term curriculum development and grant partnerships; and

Whereas, certification as a Project WET facilitator will enable department personnel to train educators and community partners locally, thereby broadening the City's public engagement and environmental education efforts; and

Whereas, the total cost of attendance, including a \$30 registration fee, hotel accommodations, travel, and incidentals, shall not exceed \$1,300, to be charged to budget code 001-581-581001, Staff Development & Training; **Now, Therefore, Be It Resolved That**

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

Section 1. Authorization. The City Council of the City of Mount Vernon hereby authorizes one (1) employee of the Board of Water Supply to attend the Project WET Facilitator Training at the Onondaga Lake Visitors Center in Syracuse, NY, from September 23 to September 26, 2025.

Section 2. Funding. All associated expenses, including registration, travel, lodging, and incidentals, not to exceed \$1,300, shall be paid from budget code 001-581-581001, Staff Development & Training.

Section 3. Effective Date. This ordinance shall take effect immediately upon adoption by the City Council and subsequent approval by the Board of Estimate & Contract.

APPROVED AS TO FORM

Assistant Corporation Counsel

APPROVED

SEP 25 2025

Date

BY

Mayor

Councilperson

THIS ORDINANCE
ADOPTED BY CITY COUNCIL

President

ATTEST:

City Clerk

Vote Taken As Follows: 9/24/2025

Boxhill: Yea Gleason: Yea

Poteat: Yea Thompson: Yea

Browne: Yea Ordinance Adopted

4

SEP 30 2025

12

**A RESOLUTION AUTHORIZING PARTIAL
PAYMENT NO. 2 TO NUVISTA DESIGNS GENERAL
CONTRACTORS LLC FOR EMERGENCY REPAIRS TO THE
ROOFING AT THE POLICE DEPARTMENT AND COURTS**

WHEREAS, by letter dated September 23, 2025, the Commissioner of the Department of Public Works certified that the work under Contract between the City of Mount Vernon (the "City") and Nuvista Designs General Contractors LLC (the "Contractor") for "Emergency Repairs to the Roofing at the Police Department and Courts" project has been performed in a good and substantial manner by the Contractor; and

WHEREAS, the Contractor is entitled to receive Partial Payment No. 2 of \$147,250.00, as directed by the terms of the contract; **NOW, THEREFORE, BE IT**

RESOLVED, that the City Comptroller is hereby authorized and directed to process Partial Payment No. 2 of \$147,250.00 to Nuvista Designs General Contractors LLC, as certified by the Commissioner of the Department of Public Works. The payment draft shall be delivered to the Corporation Counsel, who will disburse the payment to the Contractor upon receipt of proof that there are no liens against the project; this payment remains subject to the filing of all required documents by the Contractor; **BE IT FURTHER**

RESOLVED, funds for this Partial Payment No. 2, in the amount of \$147,250.00, are available under Bond Anticipation Note (BAN) Budget Code H1620.203 C952.

Vote Was Taken As Follows: 9/30/2025

Morton: Yea Browne: Yea

Patterson-Howard: Yea

Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

**ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT**


Clerk

12

SEP 30 2025

13

A RESOLUTION AUTHORIZING THE
SETTLEMENT CLAIM FILED
BY EDUARDO BAERGA

WHEREAS, on April 8, 2019, Eduardo Baerga filed a Notice of Claim against the City of Mount Vernon (the “City”), seeking damages of Two Million Five Hundred Thousand Dollars (\$2,500,000), alleging that on January 16, 2019, while at the Department of Public Works Sanitation Yard to refuel a Mount Vernon Police Department vehicle, he observed an upside-down yellow bucket positioned next to two temporary gas pumps;

WHEREAS, Mr. Baerga further alleged that, after placing both hands on the yellow bucket, it slid forward, causing him to lose balance, step into an uncovered manhole, and fall forward onto his chest and hands, resulting in injuries for which he sought damages in the amount of \$2,500,000; and

WHEREAS, on June 10, 2020, a federal lawsuit was filed against the City of Mount Vernon on behalf of Eduardo Baerga; and

WHEREAS, the Corporation Counsel, by letter dated September 18, 2025, has recommended that the Board of Estimate and Contract approve settlement of this matter for \$390,000; **NOW, THEREFORE, BE IT**

RESOLVED, that the claim of Eduardo Baerga is hereby settled for \$390,000.00, and said settlement is hereby approved; and be it further

RESOLVED, that payment of said settlement shall be made from Budget Code A1930.494 (Judgments & Settlements), 2025 Budget.

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

SEP 30 2025

14

A RESOLUTION AUTHORIZING PAYMENT OF
A SETTLEMENT TO THE ENVIRONMENTAL
PROTECTION AGENCY (EPA) FOR A TANK FIELD
CITATION AT THE 50 WEST THIRD STREET FIREHOUSE

Whereas, by letter dated September 30, 2025, the Commissioner of the Department of Public Works submitted a request to the Board of Estimate & Contract seeking authorization to remit payment in the amount of Five Thousand Seven Hundred Twenty-Four Dollars (\$5,724) to the Environmental Protection Agency (EPA) for settlement of a tank field citation issued for the 50 West Third Street Firehouse; and

Whereas, following a recent yearly inspection, the State issued a violation for a broken underground storage tank, improper signage, minor paperwork compliance issues, and the absence of a designated Class-C Operator at the Firehouse; and

Whereas, upon notification of the violation, the Department of Public Works promptly corrected the required documentation and is actively exploring the appointment of a permanent Class-C Operator at the facility to prevent future noncompliance; and

Whereas, although the Department anticipated a follow-up inspection to confirm compliance, the State instead elected to impose a monetary penalty in lieu of conducting a second walkthrough; and

Whereas, the total cost of the settlement is Five Thousand Seven Hundred Twenty-Four Dollars (\$5,724), and sufficient funds are available within the Department of Public Works' operating budget under Budget Code A1640.458; and

Whereas, it is in the best interest of the City of Mount Vernon to resolve this matter expeditiously to maintain good standing with the Environmental Protection Agency and ensure continued compliance with applicable environmental standards; **Now, Therefore, Be It Resolved That**

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

Section 1. Authorization. The City Council hereby authorizes the Department of Public Works to remit payment in the amount of Five Thousand Seven Hundred Twenty-Four Dollars (\$5,724) to the Environmental Protection Agency for settlement of the tank field citation issued for the 50 West Third Street Firehouse.

Section 2. Funding Source. Payment for the settlement shall be drawn from the Department of Public Works' operating budget, specifically Budget Code A1640.458.

Section 3. Implementation. The Comptroller is hereby directed to process said payment in accordance with City fiscal policies and procedures upon enactment of this Ordinance.

Section 1. Authorization. The City Council hereby authorizes the Department of Public Works to remit payment in the amount of Five Thousand Seven Hundred Twenty-Four Dollars (\$5,724) to the Environmental Protection Agency to settle the tank field citation issued for the 50 West Third Street Firehouse.

Section 2. Funding Source. Said payment shall be made from the Department of Public Works' operating budget under Budget Code A1640.458.

Section 3. Directions to Comptroller. The City Comptroller is hereby directed to process the above payment in accordance with all applicable City fiscal policies and procedures upon passage of this Resolution.

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

APPROVED AS TO FORM


Assistant Corporation Counsel

ADOPTED BY
BOARD OF ESTIMATE
AND CONTRACT


Clerk

Vote Was Taken As Follows: 9/30/2025
Morton: Yea Browne: Yea
Patterson-Howard: Yea
Resolution: Adopted

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