

# **City of Mount Vernon, New York**

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



## **Referral Packet - Final**

**Tuesday, September 30, 2025**

**3:00 PM**

**MAYOR'S CONFERENCE ROOM - 1st FLOOR**

**Board of Estimate & Contract**

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**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. [TMP](#) Department of Buildings: An Ordinance to Amend Legislation Regarding Building  
[-1603](#) Safety Inspections Currently Conducted by the City's Third-Party Consultant

**Code:** PSC

2. [TMP](#) Assessor: An Ordinance Authorizing the Amendment of Ordinance No. 16, Adopted  
[-1613](#) 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)

**Code:** FP

3. [TMP](#) Department of Public Works: An Ordinance Authorizing the Mayor to Enter into a  
[-1624](#) Non-Binding Memorandum of Understanding with the Center for Economic and  
Environmental Partnership, Inc (CEEP)

**Code:** LPW

4. [TMP](#) Office of the City Clerk: An Ordinance Authorizing Three (3) Office of the City  
[-1625](#) Clerk Staff Members to attend OpenGov Permitting & Licensing User Group in  
Huntington, New York on October 1, 2025

**Code:** LPW

5. [TMP](#) Department of Public Safety: An Ordinance Authorizing the Mayor to Enter into a  
[-1626](#) 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

**Code:** PSC

6. [TMP](#) Department of Management Services: An Ordinance Authorizing Approval for the  
[-1630](#) Mayor to Enter into a One-Year Support Contract with SHI for Broadcom VMWare  
Support

**Code:** LPW

7. [TMP](#)  
[-1631](#) 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
- Code:** LPW
8. [TMP](#)  
[-1632](#) 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
- Code:** HR
9. [TMP](#)  
[-1636](#) 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. [TMP](#)  
[-1637](#) 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
- Code:** LPW
11. [TMP](#)  
[-1644](#) Water Department: An Ordinance Authorizing Attendance to the Project Wet Facilitator Training
- Code:** LPW

#### **DEPARTMENT OF PUBLIC WORKS - REQUEST TO MAKE PARTIAL PAYMENT**

12. [TMP](#)  
[-1654](#) 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. [TMP](#)  
[-1657](#) Settlement of Lawsuit for Personal Injuries - Eduardo Baerga v. the City of Mount Vernon - \$390,000.00
14. [TMP](#)  
[-1662](#) 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
- Code:** LPW

**Agenda was concluded at \_\_\_\_ PM**

**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 \_\_\_\_**



# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1603

**Agenda Date:** 9/24/2025

**Agenda #:** 1.

### Board of Estimate & Contract:

**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.

### City Council:

#### **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.**

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

3. Inspection Fee - Multiple Dwelling or Nonresidential Building with fewer than ten (10) dwelling units: \$500.00 per building.

4. Additional Fee - For every additional ten (10) dwelling units or portion thereof: \$500.00.

**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.**

B. 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).

C. 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.



**CITY OF MOUNT VERNON, NY**  
**DEPARTMENT OF BUILDINGS**

**SHAWYN PATTERSON-HOWARD**  
Mayor

City Hall – One Roosevelt Square, Room 210  
Mount Vernon, NY 10550  
(914) 665-2483 Fax (914) 465-2988  
Email: [DOB@cmvny.com](mailto:DOB@cmvny.com)  
Website: [www.cmvny.com](http://www.cmvny.com)

**Patrick G. Holder, R.A.**  
Commissioner

**Hediye Mamak**  
1<sup>st</sup> Deputy Commissioner

**Dawn Asbury**  
2nd Deputy Commissioner

August 21, 2025

City Hall  
1 Roosevelt Square  
Mount Vernon, New York 10550

THROUGH THE OFFICE OF THE MAYOR.

**Re: Revising legislation in reference to Building Safety Inspections currently being carried out by our third-party consultant.**

To the Honorable Council Members:

Approximately a year ago, through the approval of this council, we implemented legislation to authorize a third-party to do safety inspection per section 1203.2(d) of Title 19 NYCRR enforcement of the Uniform Code in the City of Mount Vernon. Since then, we have contracted with a consultant to perform fire safety and property maintenance inspections of buildings on the Inspection List i.e. Multiple Dwelling and Nonresidential occupancies.

Multiple Dwelling and Nonresidential occupancies are required to first register for these inspections so they can be scheduled with the third-party consultant. The Building Department and Fire Department have expended significant city resources to send out notices via mail; social media; Open Gov and even a door-to-door campaign to inform owners of the requirement to register for these inspections. With all of this we have only received registration for less than 10% of the properties in our city that require these inspections over the last year. Again, these inspections are focused on life safety issues and required by the State of New York, this is compounded by the fact that they have not been done consistently over the last 20 years, and this department is concerned with the potential threat to life if they are not completed expeditiously.

The initial rollout of these inspections has also proved to be more costly than the city expected, thus we are requesting an increase in the Inspection Fees that were set to ensure that the Building Department has sufficient resources to enforce the Uniform Code, thereby safeguarding residents' health, safety, and welfare in multiple dwelling and non-residential properties. Further we strongly recommend a fine be levied to the Owners of those properties who refuse to register to have these inspections done.

The following fees shall be adjusted to the Department of Buildings fee schedule:

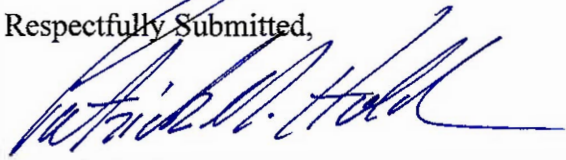
- Inspection per building with less than ten dwelling units: \$500.00
- Additional cost for every 10-dwelling unit: \$500.00

The following fine shall apply:

- Failure to Register: Owners of multiple dwellings who do not register for inspection within 45 days after the third notice (to be issued by mid-September 2025) will be subject to a \$1,000 monthly fine, which will go into budget code A2610.2 (Departmental Fines).
- Continued Non-Compliance: If the owner fails to register within 12 months of the notice, all outstanding fines will be added to the property tax bill. A lien may then be placed on the property.

If this meets with the approval of Your Honorable Body, kindly enact the necessary legislation to move forward with these third-party consultant firms.

Respectfully Submitted,



Patrick G. Holder  
Commissioner of Buildings

cc: Mayor, Corporation Counsel, City Clerk, The Comptroller

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**AN ORDINANCE TO ESTABLISH MULTI-DWELLING  
INSPECTION FEES TO ENABLE THE BUILDINGS  
DEPARTMENT TO ENFORCE THE UNIFORM CODE**

**Whereas**, by letter dated June 21, 2024, the Commissioner for the Buildings Department has requested legislation authorizing the establishment of multi-dwelling inspection fees to ensure that the Buildings Department has sufficient resources to enforce the Uniform Code, thereby safeguarding residents' health, safety, and welfare in multi-dwelling properties; and

**Whereas**, the City of Mount Vernon has a growing population and an increasing number of multi-dwelling properties; and

**Whereas**, it is imperative to ensure the health, safety, and welfare of residents living in multi-dwelling properties by enforcing the Uniform Code through regular inspections; and

**Whereas**, the Buildings Department needs adequate resources to address deficiencies and perform all required code enforcement activities in the city; and

**Whereas**, the imposition of multi-dwelling inspection fees will provide the necessary funding for the Buildings Department to carry out these critical inspections and enforcement activities; and

**Whereas**, annual inspections of multi-dwelling structures will allow the city to maintain high standards of safety and quality of life for its residents; **Now, Therefore, Be It Resolved That**

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

**Section 1. Purpose.** This ordinance aims to establish multi-dwelling inspection fees to ensure that the Buildings Department has sufficient resources to enforce the Uniform Code, thereby safeguarding residents' health, safety, and welfare in multi-dwelling properties.

**Section 2. Definitions.** For this ordinance, the following terms shall have the meanings indicated:

1. **"Multi-Dwelling Property"**: Any residential property containing three or more separate living units.
2. **"Buildings Inspection"**: An inspection conducted by the Buildings Department to ensure compliance with building codes and regulations.
3. **"Fire Inspection"**: An inspection conducted by the Buildings Department to ensure compliance with fire safety codes and regulations.

**Section 3. Inspection Fees.** The following fees shall be added to the Department of Buildings Fee Schedule:

1. **Buildings Inspection Fees:**
  - o Inspection per building with less than ten dwelling units: \$250.00
  - o Inspection per building with more than ten dwelling units: \$250.00 per 10 dwelling units
2. **Fire Inspection Fees:**
  - o Inspection per building with less than ten dwelling units: \$250.00
  - o Inspection per building with more than ten dwelling units: \$500.00

24

24

**Section 4. Enforcement.** The Buildings Department shall conduct annual inspections of all multi-dwelling properties to ensure compliance with the Uniform Code. The fees collected from these inspections shall fund the inspection program and other code enforcement activities.

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

Vote Taken As Follows: 6/26/2024

Boxhill: Yea Browne: Absent

Poteat: Yea Thompson: Yea

Gleason: Yea Ordinance Adopted

APPROVED AS TO FORM

Assistant Corporation Counsel

APPROVED

Dept. \_\_\_\_\_

THIS ORDINANCE  
ADOPTED BY CITY COUNCIL

President

ATTEST:

City Clerk

APPROVED

JUN 27 2024

Date

By \_\_\_\_\_

Mayor



# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1613

**Agenda Date:** 9/24/2025

**Agenda #:** 2.

### Board of Estimate & Contract:

**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: HUDSON GREENWICH LLC, 545 SOUTH FULTON AVENUE (169.40-4088-8), PURSUANT TO RPTL SECTION 550 - 2024 [5] County Tax Levy: - \$441.66; be, and the same is hereby approved.

### City Council:

**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**

**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 [ ]

105

103.17

50.07

100.14

50.07

105.17

50.07

4TH

165.78-3088-10

165.78-3088-11

165.78-3088-12

165.78-3088-32

103.15

105

49.80

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25.03

25.04

11.301

11.301

103.17

105

25.03

25.04

100

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14

165.78-3110

165.78-3

165.78

165

(60.08)

30.04

50.07

105





CITY OF MOUNT VERNON, N.Y.  
DEPARTMENT of ASSESSMENT

**SHAWYN PATTERSON-HOWARD**  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY. 10550  
(914) 665-2328 – Fax: (914) 665-3522

**Stephanie Vanderpool**  
*Commissioner*

**Cranson D. Johnson**  
*Deputy Commissioner*

September 17, 2025

Honorable City Council Members  
City of Mount Vernon,  
Mount Vernon, New York 10550

(Through the Office of the Mayor)

**Amended**  
*Hudson Greenwich, LLC*  
545 So. Fulton Ave  
Mount Vernon, NY  
169.40-4088-8

Dear Honorable City Council Members:

Re: Amendment to Section 1 of Ordinance No. 16 adopted September 10, 2025 as follows

I am requesting to amend Section 1 of Ordinance No. 16 adopted September 10, 2025 as follows: The Comptroller is hereby authorized and directed to issue a refund/credit to be satisfied in Budget Code A1964-492 in the amount of \$441.66 (2024 County Tax Levy).

If this meets the approval of your Honorable Body, would you kindly have the necessary legislation enacted.

Sincerely,

  
Stephanie Vanderpool

Commissioner of Assessment  
City-Hall One Roosevelt Square  
Mount Vernon, NY 10550  
Email: [SVanderpool@mountvernonny.gov](mailto:SVanderpool@mountvernonny.gov)  
P (914) 665-2325 Fax (914) 665-3522  
Cc: office file

**AN ORDINANCE AUTHORIZING THE REFUND  
OF TAXES PAID ON AN INCORRECTLY ASSESSED  
PROPERTY PURSUANT TO RPTL SECTION 550**

**Whereas**, in correspondence dated September 9, 2025, the Commissioner of the Department of Assessment has formally requested authorization 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 for the 2024 and 2025 tax years, as follows:

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

**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.

Vote Taken As Follows: 9/10/2025  
Boxhill: Yea Gleason: Yea  
Poteat: Yea Thompson: Yea  
Browne: Yea Ordinance Adopted

APPROVED AS TO FORM

Assistant Corporation Counsel

APPROVED

Date

BY

Mayor

Councilperson

THE ORDINANCE  
ADOPTED BY CITY COUNCIL

President

ATTEST:

City Clerk



# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1624

**Agenda Date:** 9/24/2025

**Agenda #:** 3.

### **Board of Estimate & Contract:**

**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.

### **City Council:**

#### **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.

**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.



CITY OF MOUNT VERNON, N.Y.  
[DEPARTMENT NAME]

SHAWYN PATTERSON-HOWARD  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY. 10550  
(914) 914-665-2339  
email:dpwconcerns@mountvernonny.gov

DAMANI L. BUSH  
*Commissioner*

JOHN NUCULOVIC  
*Deputy Commissioner*

September 8, 2025

Honorable City Council Members  
Of the City of Mount Vernon  
City Hall, Mount Vernon, New York  
(Through the Office of the Mayor)

**Re: Authorization for the Mayor to Enter into a Memorandum of Understanding (MOU) with the Center for Economic and Environmental Partnership, Inc. (CEEP)**

Dear Honorable City Council Members:

This referral requests authorization for the Mayor to enter into a non-binding Memorandum of Understanding with the Center for Economic and Environmental Partnership, Inc. (CEEP). The partnership will strengthen Mount Vernon's capacity to implement state-aligned climate goals, particularly through the City's participation in the Hudson Valley Regional Council's **Climate Action Planning Institute (CAPI)**.

The Climate Action Planning Institute, coordinated by the Hudson Valley Regional Council with support from the New York State Department of Environmental Conservation's Climate Smart Communities program, is a structured technical assistance initiative designed to help municipalities develop robust, data-driven climate action plans. Through CAPI, participating communities gain access to expert guidance, peer-to-peer learning, and analytical tools that support greenhouse gas inventories, vulnerability assessments, and the creation of strategies to reduce emissions and build climate resilience. The program emphasizes actionable steps that align with New York State's ambitious climate and clean energy goals, while also preparing municipalities to secure state and federal funding.

CEEP is a nonprofit with decades of experience assisting municipalities across New York State in developing and executing sustainability strategies. Under the draft Memorandum of Understanding (attached), CEEP would provide the City with a **Sustainability Coordinator**, supported through grant funding secured by The New York Community Trust through March 2026.

Entering into this non-binding MOU will provide the City with:

**Direct Support for CAPI Participation:** CEEP will assist the City in fully engaging with the Hudson Valley Regional Council's Climate Action Planning Institute, ensuring Mount Vernon's plans are data-driven, comprehensive, and actionable.

*"The Jewel of Westchester"*





CITY OF MOUNT VERNON, N.Y.

[DEPARTMENT NAME]

SHAWYN PATTERSON-HOWARD  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY, 10550  
(914) 914-665-2339  
email:dpwconcerns@mountvernonny.gov

DAMANI L. BUSH  
*Commissioner*

JOHN NUCULOVIC  
*Deputy Commissioner*

- **Enhanced Program Delivery:** CEEP will support the City in advancing both the CSC and CEC programs, positioning Mount Vernon for recognition, grant eligibility, and technical assistance.
- **Technical and Administrative Capacity:** A Sustainability Coordinator, working approximately 8 hours per week, will provide consistent project management, reporting, and coordination between departments and regional partners.
- **Grant-Supported Services:** The partnership has the potential to leverage future external funding, minimizing the need for immediate City budget allocations.
- **Regional Leadership:** By collaborating with CEEP, Mount Vernon will demonstrate leadership in environmental justice, workforce development, and climate action, aligning with the City's commitment to equity and sustainability.

I respectfully request that the City Council grant permission for the Mayor to enter into a non-binding Memorandum of Understanding with the Center for Economic and Environmental Partnership, Inc. This authorization will allow the City to move forward with this strategic partnership, supporting Mount Vernon's climate planning efforts and maximizing participation in the Climate Action Planning Institute.

Warm regards,

Shayne M. Brooks  
Director of Sustainability  
SMB

Damani L. Bush  
Commissioner of Public Works  
DLB

Attachments:

1. Center for Economic Development (CEEP) x CMVNY Letter of Intent
2. Signed letter of commitment to participate via Mayor SPH

Cc: Mayor's Office  
Comptroller's Office  
Clerk's Office  
Building's Department  
Planning and Community Development

*"The Jewel of Westchester"*



## CITY OF MOUNT VERNON, N.Y.

Mayor Office

**SHAWYN PATTERSON-HOWARD, MPA**  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY. 10550  
(914) 665-2360 – Fax: (914) 665-6173

**MALCOLM CLARK**  
*Chief of Staff*

**KHENDRA DAVID**  
*Deputy Chief of Staff*

July 15, 2024

To Whom It May Concern:

The City of Mount Vernon is pleased to pledge its support for and active participation in the 2025-2026 “Climate Action Planning Institute 2025” (CAPI 2025). For CAPI 2025, the City of Mount Vernon will act as a participant. In this 16-month-long innovative project, several local governments will collaborate to complete their individual local government operations GHG emissions inventories (GOGHIs) and draft their local government operations climate action plans (GOCAPs).

The Hudson Valley Regional Council (HVRC) will be the primary partner on this project, in conjunction with ICLEI staff (as well as the use of ICLEI software and templates for completion of the GOGHIs and GOCAPs). Participants on behalf of the City of Mount Vernon will include municipal staff, as well as a volunteer from a CBO.

The 16-month-long project will consist of the following meetings and milestones, which the pledges to commit to:

- Month 1: CAPI partner kick-off meeting.
  - Staff will provide HVRC with all Con Ed / NYPA account numbers.
- Month 2: CAPI Meeting 1. Kickoff & introduction of project with all partners & participants.
  - Introductions to HVRC, ICLEI, as well as staff and cohort participants
- Month 3: CAPI Meeting 2. Overview of GOGHIs.
  - HVRC to request of bulk energy data from Con Ed / NYPA
- Month 4: CAPI Meeting 3. Overview of data collection and status updates.
  - Data analysis and data entry into ClearPath.
- Month 5: Continued data collection for GHGIs.
  - Participants to conduct stakeholder meetings to review GOGHGI results/data issues/etc.
- Month 6: CAPI Meeting 4. Participant’s GOGHIs presentations, data swap with participants & buddy system review.
  - Cohort presentations of GOGHGI findings.

*“The Jewel of Westchester”*



## CITY OF MOUNT VERNON, N.Y.

Mayor Office

**SHAWYN PATTERSON-HOWARD, MPA**  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY, 10550  
(914) 665-2360 – Fax: (914) 665-6173

**MALCOLM CLARK**  
*Chief of Staff*

**KHENDRA DAVID**  
*Deputy Chief of Staff*

- Month 7: CAPI Meeting 5. Continuation of participant's GOGHGs presentations.
  - Cohort presentations of GOGHG findings.
- Month 8: CAPI Meeting 6. GOGHGI reductions target setting & forecasting.
  - Participants conduct key stakeholder meetings and begin to draft report.
- Month 9: CAPI Meeting 7. Review of emissions reduction strategies & ClearPath Planning Module training part 1.
- Month 10: CAPI Meeting 8. Continued review of emissions reduction strategies & ClearPath Planning Module training part 2.
- Month 11: CAPI Meeting 9. Review of ICLEI GOCAP template
  - Participants will continue to revise the GOCAP & conduct additional stakeholder meetings as needed.
- Month 12: CAPI Meeting 10. Strategies for prioritizing GHG emissions reductions.
  - Participants finalize key stakeholder meetings and draft report.
- Month 13: CAPI Meeting 11: Revising of GOCAP: Prioritizations and Considerations.
  - GOCAP presentations.
- Month 14: Development of GOCAP.
  - GOCAP presentations.
- Month 15: CAPI meeting 12. Participant's presentation of draft GOCAPs.
  - Participants to publicly release GOCAP to municipal web site.
- Month 16: CAPI Final Meeting: CAPI Wrap-up and GOCAP Implementation
  - Participants upload GOCAP to Climate Smart Communities web site.



## CITY OF MOUNT VERNON, N.Y.

Mayor Office

**SHAWYN PATTERSON-HOWARD, MPA**  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY. 10550  
(914) 665-2360 – Fax: (914) 665-6173

**MALCOLM CLARK**  
*Chief of Staff*

**KHENDRA DAVID**  
*Deputy Chief of Staff*

Upon completion of CAPI, the City of Mount Vernon anticipates having a completed GOGHGI, with data entered and maintained in the ClearPath tool, as well working draft of a GOCAP, and will present on these at a final working group meeting as well as to the City of Mount Vernon's Mayor's Office and City Council. The City of Mount Vernon will contribute volunteers and staff who will attend the monthly meetings, complete the data collection, data entry, report template, and other project support as needed, as well as participate in all project communications and meetings.

The City of Mount Vernon pledges that it has a minimum of three participants on behalf of the municipality will commit to participating in the above meetings and milestones schedule, with the understanding that this project will entail a contribution of an anticipated average of 6 hours of staff and volunteer time per person per month for the duration of the project (in addition to occasional meeting travel time). The City of Mount Vernon is promising that, over the next 16 months, it will contribute the equivalent of \$12,000—not in cash, but through the value of staff time and volunteer work—because state law requires this local contribution when applying for the funding. Appropriate Mount Vernon staff will also attend key meetings. This combination of dedicated volunteer and staff time will consist of the City of Mount Vernon's match for this funding opportunity.

Best Regards,

A handwritten signature in black ink, appearing to read "Shawyn Patterson-Howard".

Mayor Shawyn Patterson-Howard, MPA  
City of Mount Vernon

**Cc: Law**  
**Buildings**  
**HR**

*"The Jewel of Westchester"*





# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1625

**Agenda Date:** 9/24/2025

**Agenda #:** 4.

### **Board of Estimate & Contract:**

**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.

### **City Council:**

#### **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.



OFFICE OF THE CITY CLERK  
ONE ROOSEVELT SQUARE NORTH  
MOUNT VERNON, NEW YORK 10550  
(914) 668-2352 \* [WWW.CMVNY.COM](http://WWW.CMVNY.COM)

NICOLE BONILLA, MBA  
City Clerk

September 12, 2025

Honorable City Council Members  
1 Roosevelt Square North  
Mount Vernon, New York 10550

Re: Authorization for three (3) Office of the City Clerk staff to attend OpenGov Permitting and Licensing User Group on October 1, 2025

Agenda: [OpenGov Permitting & Licensing User Group | OpenGov](#)

Honorable Body,

This letter respectfully requests that the City Council approve and enact legislation granting permission for three (3) Office of the City Clerk staff to attend the OpenGov Long Island Permitting & Licensing User Group training in Huntington, New York, on October 1, 2025. The three staff attending are OpenGov application developers, and they process all the applications received in the Clerk's Office.

The Office of the City Clerk's goal is to make all applications, permits, and licensing accessible on OpenGov, and this full-day, in-person event is the training necessary to achieve our goal and to fully utilize the platform. This user group is designed to unite local governments to share best practices, with the intent of building stronger community connections and exploring OpenGov's permitting and licensing solutions.

The event is free. Reimbursement for meals, mileage and tolls will be expensed from  
**A 1410.402 (Travel Expense) – not to exceed \$200.**

User Group Details

*Date: Wednesday, October 1, 2025*

*Time: 7:30 AM – 3:00 PM*

*Location: 100 Main Street, Huntington, NY 11743*

N'Quan Stephens – Senior Accountant  
Megan Blades – Administrative Aide  
Jeralyn Escamilla – Records Specialist

Thank you for the consideration of my request, and I appreciate the Council's support.

Sincerely,

Nicole Bonilla, MBA  
City Clerk





# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1626

**Agenda Date:** 9/24/2025

**Agenda #:** 5.

### **Board of Estimate & Contract:**

**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.

### **City Council:**

**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.



**DEPARTMENT OF PUBLIC SAFETY**  
**BUREAU OF POLICE**  
ROOSEVELT SQUARE  
MOUNT VERNON, NY 10550  
(914) 665-2500

**DAVID GIBSON**  
POLICE COMMISSIONER

**JENNIFER LACKARD**  
DEPUTY COMMISSIONER

**MARCEL OLIFIERS**  
CHIEF OF OPERATIONS

**SHAWYN PATTERSON - HOWARD**  
MAYOR

September 11, 2025

Honorable City Council Members  
City of Mount Vernon  
1 Roosevelt Square  
Mount Vernon, New York 10550  
(through the Office of the Mayor)

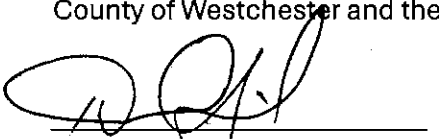
**RE:** Request to enter into a MOU between Westchester County and the City of Mount Vernon to participate in the Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York from July 31, 2025, to July 30, 2030

Dear Council Members:

It is requested that legislation be enacted authorizing Mayor Shawyn Patterson-Howard to execute the revised Inter-Municipal Agreement (IMA), pertaining to the Westchester County Mutual Aid and Rapid Response Plan (the Plan) for the Police Departments within Westchester County, New York. We have had prior Inter-Municipal Agreements, and this would extend our long-standing agreement and relationship with the various Police Departments of Westchester County.

It is the policy of the Police Departments of Westchester County to promptly provide Mutual Aid and Rapid Response in the form of manpower and equipment under the County Mutual Aid and Rapid Response Plan, upon the request of any participating agency. Therefore, the purpose of this Plan is to formalize Operational Procedures for Law Enforcement assistance to participating agencies.

Attached please find the Grant Agreement/ Draft Memorandum of Understanding between the County of Westchester and the City of Mount Vernon.

  
\_\_\_\_\_  
David Gibson  
Commissioner of Public Safety

Attachment:

-Draft agreement between the County of Westchester and the City of Mount Vernon for the Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York



# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1630

**Agenda Date:** 9/24/2025

**Agenda #:** 6.

### Board of Estimate & Contract:

**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.

### City Council:

#### **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.



## CITY OF MOUNT VERNON, N.Y.

Mayor Office

**SHAWYN PATTERSON-HOWARD, MPA**  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY, 10550  
(914) 665-2362 – Fax: (914) 665-6173

**JUAN PEREZ**  
*Commissioner Management Services*

September 18, 2025

VIA EMAIL:  
Honorable City Council Members  
City of Mount Vernon  
1 Roosevelt Square  
Mount Vernon, New York 10550

**RE: Approval to Enter into support contract with SHI for 1 year for Broadcom's VMWare support. Contract payment to be \$61,244.80 to be paid from 1680.215.** for city council meeting to be held on September 24<sup>th</sup>, 2025.

Honorable Council members:

The Department of Management Services requests approval from the City Council for a resolution to enter a 1-year support contract with Broadcom through SHI for the support of our Broadcom VMware software environment. This environment is essential for the critical operations of both City Hall and the Police Department. The contract will be in the amount of \$61,244.80 and will be financed through budget code 1680.215.

The Broadcom VMware environment supports all critical operations in City Hall as well as the Police Department. The expiration of our existing support contract in on October 31, 2025 requires that we have a contract in place to ensure continued support for our production environment.

Broadcom, which now owns VMware, has placed restrictions on who can support their software environments. I have secured three quotes, and SHI has provided the most cost effective quote for our environment.

Should this request meet with the approval of the city council, we will enter into the one-year agreement and make payment from budget code 1680.215.

Thank you.  
Sincerely,  
Juan Perez

Commissioner Management Services  
cc: Mayors Office, Comptroller



Pricing Proposal  
Quotation #: 26646423  
Created On: 9/17/2025  
Valid Until: 10/10/2025

## NY-City of Mount Vernon

### Juan Perez

1 Roosevelt Square  
Mount Vernon, NY 10550  
United States  
Phone: 914-665-3262  
Fax:  
Email: jperez@mountvernonny.gov

## Inside Account Executive

### Niall El-Adawy

300 Davidson Ave  
Somerset, NJ 08873  
Phone: 732-652-7686  
Fax:  
Email: niall\_eladawy@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 VMware Cloud Foundation VMware - Part#: VCF-CLD-FND Contract Name: OGS IT Umbrella Contract Contract #: PM67310 Coverage Term: 11/1/2025 – 10/31/2026 <b>Note:</b> Participant ID# 36400	128	\$332.00	\$42,496.00
2 VMware vSAN 8 - For 1 Year VMware - Part#: VCF-VSAN-8 Contract Name: OGS IT Umbrella Contract Contract #: PM67310 Coverage Term: 11/1/2025 – 10/31/2026 <b>Note:</b> Participant ID# 36400	93	\$201.60	\$18,748.80
Total			\$61,244.80

## Additional Comments

Keep in mind, VMWare recently changed their approval process for reinstatement fees. A completed waiver form and valid business case are required in order to be considered for approval. Please make sure to send over all POs prior to you expiration date to avoid the reinstatement fee.

For any software items included on this quote for contract PM67310, the below terms will apply. If you do not agree with these terms, please let SHI know so we can reach out to VMware for a possible exception. Please note, the exception process will take time and there is no guarantee it will be approved.

Please note the following:

- 1) VMware EULA <https://docs.broadcom.com/docs/end-user-agreement-english>
- 2) VMware Does Not offer a standard return policy
- 3) Service offerings are non-refundable. For these products, orders are non-cancellable and non-returnable from point of order.
- 4) PSO Credits are only active for 1 Year

Please Note, Broadcom product lines have the following reinstatement fee policy:

- o Effective immediately, late orders will be charged a 25% reinstatement fee.
- o Every additional week late will result in an incremental 10% fee added

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084. SHI International Corp. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order.

SHI International Corp. is 100% Minority Owned, Woman Owned Business.  
TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

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*The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.*





# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1631

**Agenda Date:** 10/8/2025

**Agenda #:** 7.

### **Board of Estimate & Contract:**

**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.

### **City Council:**

#### **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.



CITY OF MOUNT VERNON, NEW YORK  
DEPARTMENT of PUBLIC WORKS

SHAWYN PATTERSON-HOWARD  
*Mayor*

City Hall  
One Roosevelt Square – Room 108  
Mount Vernon, NY, 10550  
(914) 665-2300 – Fax: (914) 665-2476

DAMANI L. BUSH  
*Commissioner*  
JOHN NUCULOVIC  
*Deputy Commissioner*  
RYAN ULRICH  
*Deputy Commissioner*

September 15, 2025

Honorable City Council  
The City of Mount Vernon  
Mount Vernon, New York  
(Through the Office of the Mayor)

Re: Bid Acceptance – County Excavating LLC. “Various Public Works / Construction Equipment Rentals”

Dear Board Members,

The Department of Public Works (“DPW”) respectfully requests authorization to enter a two (2) year agreement, with an additional one (1) year option, with County Excavating, LLC for Various Public Works / Construction Equipment Rentals, pursuant to the competitive bid opening held August 19, 2025.

**Background & Procurement**

DPW publicly advertised and received sealed bids for the above-referenced requirements. Three (3) firms submitted complete bid packages:

1. Zonzini Pipeline Inc.
2. Fred A. Cook, Jr., Inc.
3. County Excavating, LLC

The Bid Matrix and the County Excavating, LLC bid submittal are attached for the Council's review. DPW evaluated each submission for responsiveness (completeness, required forms, acknowledgements) and responsibility (ability, capacity, references, compliance with prevailing wage and insurance requirements), and compared line-item pricing across the equipment list (e.g., excavators, dump trucks of multiple capacities, front-end loaders, and dozers) for weekday, evening, weekend, and holiday rates.

**Findings**

- County Excavating LLC submitted a responsive bid and is deemed a responsible vendor able to meet the City's operational needs.
- Based on the attached bid matrix, County Excavating, LLC provides the most cost-effective pricing profile to the City across the key, high utilization equipment categories.

**Request**

DPW respectfully requests that the City Council adopt a resolution to:

1. Award the contract for Various Public Works / Construction Equipment Rentals to County Excavating, LLC as the lowest responsive, responsible bidder consistent with the evaluated bid matrix.
2. Authorize the Mayor to execute a two (2) year agreement with one (1) additional one-year renewal option, exercisable at the City's sole discretion under the same terms and conditions, subject to Corporation Counsel approval as to form.
3. Authorize encumbrances and payments against this contract from approved Operating and/or Capital fund lines, not to exceed budgeted appropriations for each fiscal year.
4. Clarify the award is non-exclusive, permitting the City to utilize other contracts, intermunicipal agreements, or emergency procurements when in the City's best interest.

This agreement will ensure DPW can mobilize the right equipment at fair, competitive unit rates to deliver critical services, respond to emergencies, and support capital projects without delay.

Thank you for your consideration. I am available to answer any questions and to provide any additional documentation the Council may require.

Respectfully,



Damani L. Bush

Commissioner of Public Works

DB/db

CC:     Engineering Bureau  
         Comptroller's Office  
         County Excavating, LLC.  
         Contract File

**Attachments:**

- A. Bid Matrix — Various Public Works / Construction Equipment Rentals (Bid Opening: August 19, 2025)
- B. County Excavating, LLC — Bid Submittal and Forms



# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1632

**Agenda Date:** 9/24/2025

**Agenda #:** 8.

### **Board of Estimate & Contract:**

**RESOLVED**, that an ordinance adopted by the City Council on August 13, 2025, and signed by the Mayor on September 24, 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.

### **City Council:**

#### **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.

**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.



**CITY OF MOUNT VERNON, NY**  
DEPARTMENT OF RECREATION

**SHAWYN PATTERSON-HOWARD**  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY. 10550  
(914) 665-2420 – Fax: (914) 665-2421

**KATHLEEN WALKER- PINCKNEY**  
*Commissioner*  
**ANDRÉ G. EARLY**  
*Deputy Commissioner*

September 15, 2025

Honorable City Council Members,  
Through the Office of the Mayor, City Hall  
One Roosevelt Square  
Mount Vernon, New York 10550

**Re: The Annual Pumpkin Fest**

Dear Honorable City Council Members,

This letter requests that the City Council enact legislation allowing the Department of Recreation to sponsor the 8<sup>th</sup> Annual Pumpkin Fest and Carving Event. This event will take place on the fourth Saturday of October every year, with a rain date on the Sunday, from 1:00 p.m. to 4:00 p.m. This event will take place at Hartley Park.

The entire community eagerly anticipates this extraordinary event. There will be games, pumpkin carving contests, and a variety of other activities for all ages.

We respectfully request authorization for the Department of Public Works (DPW) and the Mount Vernon Police Department to assist with the event. Specifically, we ask the deployment of auxiliary police to patrol the event, support from DPW for post-event clean-up, including the provision of garbage trucks to remove hay and pumpkins.

The funding for this event will come from the Budget Code A7310.447, which provides \$2,500 for additional materials and supplies.

Respectfully,

Kathleen Walker-Pinckney, Commissioner  
Department of Recreation



**CITY OF MOUNT VERNON  
POLICE DEPARTMENT  
SUPPORT SERVICES DIVISION**  
(914) 665-2500 FAX (914) 665-2559



*Lieutenant Juliet Evans  
Commanding Officer*

*Sergeant Daniel De Benedictis  
Executive Officer*

Date: September 9, 2025

To: Office of the Police Commissioner

From: Executive Officer, Support Services Division

**Subject: The Annual Pumpkin Fest at (Hartley Park)**

At your direction, the undersigned has reviewed the attached special event request submitted by the Recreation Department. This event is called "The Annual Pumpkin Fest at Hartley Park" which is scheduled for Saturday October 25, 2025, from the hours of 1300hrs to 1600hrs with a rain date of Sunday October 26, 2025. The Recreation Department has requested the use of Hartley Park to host the event. They are further requesting the event be an annual occurrence to take place every year on the fourth Saturday in October.

I recommend approval of the request and that Auxiliary Police be assigned, and the sector car and a supervisor give special attention to the event.

I also recommend the patrol supervisor be authorized to hire additional officers on an overtime basis should the need arise at the expense of the organizer.

Sgt De Benedictis #3  
Executive Officer  
Support Services Division

CC: Patrol Division





CITY OF MOUNT VERNON, N.Y.  
DEPARTMENT of PUBLIC WORKS

SHAWYN PATTERSON-HOWARD  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY, 10550  
(914) 914-665-2343  
email:dpwconcerns@mountvernonny.gov

DAMIANI L. BUSH  
*Commissioner*

JOHN NUCULOVIC  
*Deputy Commissioner*

September 15, 2025

Honorable City Council  
The City of Mount Vernon  
Mount Vernon, New York, New York  
(Through the Office of the Mayor)

RE: The Annual Pumpkin Fest

Please be advised that the Department of Public Works has no objections to the Annual Pumpkin Fest event scheduled for Saturday October 25, 2025 (rain date Sunday October 26, 2025) at Hartley Park. The Department of Public Works will support in the following areas:

- Post-event clean-up, including the
- Provision of garbage trucks to remove hay and pumpkins

Best regards,

John Nuculovic  
Deputy Commissioner of Public Works  
JN/dg



**CITY OF MOUNT VERNON, N.Y.**  
FIRE DEPARTMENT

**SHAWYN PATTERSON-HOWARD**  
*Mayor*

Fire Headquarter – 470 East Lincoln Avenue  
Mount Vernon, NY. 10550  
(914) 665-2611 – Fax: (914) 665-2631

**Kevin B. Holt**  
*Fire Commissioner*  
**Theodore W. Beale Jr.**  
*Deputy Fire Commissioner*  
**Juan A. Peralta**  
*Chief of Operations*

Honorable City Council Members  
Through the Office of the Mayor, City Hall  
One Roosevelt Square  
Mount Vernon, New York 10550

Re: The Annual Pumpkin Fest

Dear Honorable City Council Members,

We fully support the Department of Recreation event Annual Pumpkin Fest to be held on Saturday October 25, 2025, in Hartley Park.

We will continue to support the community events that our constituents eagerly anticipate.

Respectfully,

Theodore W. Beale, Jr.  
Deputy Fire Commissioner

*"The Jewel of Westchester"*



# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1636

**Agenda Date:** 9/24/2025

**Agenda #:** 9.

### City Council:

#### **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.



PLANNING & COMMUNITY DEVELOPMENT  
ONE ROOSEVELT SQUARE  
MOUNT VERNON, NEW YORK 10550  
PHONE: (914) 840-4029  
EMAIL: TGRAHAM-OUATTARA@CMVNY.COM

JAMES RAUSSE, FAICP, WEDG  
COMMISSIONER

September 16, 2025

VIA EMAIL:

Honorable City Council Members  
City of Mount Vernon  
1 Roosevelt Square  
Mount Vernon, New York 10550

Re: Authorization for Department of Planning and Community Development Staff to attend OpenGov User Group Event – October 1, 2025. For consideration at the September 24, 2025, City Council Meeting.

Dear City Council Members:

This letter respectfully requests that the Mount Vernon City Council approve and enact legislation granting permission for three staff members from the Department of Planning and Community Development to attend the OpenGov Permitting & Licensing User Group Event on Wednesday, October 1, 2025, in Huntington, New York.

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. Sessions include customer panels, hands-on product training, networking opportunities, and a preview of upcoming product features. Attendance will enhance the Department's capacity to modernize permitting and licensing processes, support inter-municipal collaboration, and advance Mount Vernon's goals of improving service delivery and efficiency.

The event is free to attend. Any incidental costs, including travel and food, will be covered by the Department's training budget A8021.451. Staff participants are as follows:

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

Thank you for your consideration and your continued commitment to the people of Mount Vernon.

Respectfully submitted,

James Rausse, FAICP, WEDG

cc: Mayor Shawyn Patterson-Howard  
Comptroller Darren M. Morton  
Malcolm Clark, Chief of Staff

Page 1 of 1



**MOUNT VERNON, NY**  
*The Jewel of Westchester*



# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1637

**Agenda Date:** 9/24/2025

**Agenda #:** 10.

### Board of Estimate & Contract:

**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.

### City Council:

#### **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.



## CITY OF MOUNT VERNON, N.Y.

Mayor Office

**SHAWYN PATTERSON-HOWARD**

*Mayor*

City Hall, One Roosevelt Square

Mount Vernon, NY. 10550

(914) 665-2360 – Fax: (914) 665-6173

**MALCOLM CLARK**

*Chief of Staff*

**KHENDRA K. DAVID**

*Deputy Chief of Staff*

September 16, 2025

**Re:** Authorization for the City of Mount Vernon staff to attend OpenGov Long Island Permitting & Licensing User Group.

**Agenda:** [https://go.opengov.com/UG-2025-10-01-PLC-LongIsland-NewYork-UserGroup\\_05.locationregpage.html](https://go.opengov.com/UG-2025-10-01-PLC-LongIsland-NewYork-UserGroup_05.locationregpage.html)

To the Honorable City Council,

This letter comes as a request that the City Council authorize permission for Mount Vernon City staff to attend OpenGov Long Island Permitting & Licensing User Group scheduled for Wednesday, October 1, 2025, from 7:30 AM – 3:00 PM at 100 Main Street, Huntington, NY 11743.

This full-day event is designed exclusively for municipal representatives engaged in permitting and licensing. It will provide an important opportunity to:

- **Build Local Connections:** Network with peers from regional municipalities addressing similar challenges.
- **Learn from Real-World Successes:** Hear directly from municipal leaders and OpenGov customers about best practices and outcomes.
- **Gain Hands-On Product Training:** Participate in interactive breakout sessions with OpenGov staff.
- **Preview Upcoming Features:** Review the product roadmap and provide direct feedback.

As the City continues to modernize its permitting and licensing systems, this user group will be an invaluable resource to ensure we are leveraging OpenGov effectively and aligning with regional best practices.

### Designated Department Liaisons

To ensure comprehensive representation, the following staff members will participate and serve as liaisons for their respective departments:

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

*“The Jewel of Westchester”*





## CITY OF MOUNT VERNON, N.Y.

Mayor Office

**SHAWYN PATTERSON-HOWARD**

*Mayor*

City Hall, One Roosevelt Square

Mount Vernon, NY. 10550

(914) 665-2360 – Fax: (914) 665-6173

**MALCOLM CLARK**

*Chief of Staff*

**KHENDRA K. DAVID**

*Deputy Chief of Staff*

Travel Policy Compliance:

According to the new travel policy, reimbursement for mileage and tolls requires both Council and Board of Estimate approval when travel exceeds the 35-mile threshold. Since Huntington, NY is beyond this limit, I am respectfully requesting approval in advance to ensure compliance.

The event itself is free to attend, and only travel-related expenses (mileage, food, and tolls) would be subject to reimbursement, not to exceed \$300.00 for each department. If available, the staff requests to use a city-owned vehicle.

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

Thank you for your consideration of this request. We look forward to representing the City and bringing back insights that will strengthen our permitting and licensing operations.

Sincerely,

Khendra K. David  
Deputy Chief of Staff  
City of Mount Vernon

cc: Mayor Patterson-Howard  
Fire Department  
Building Department

*“The Jewel of Westchester”*



# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1644

**Agenda Date:** 9/24/2025

**Agenda #:** 11.

### Board of Estimate & Contract:

**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.

### City Council:

#### **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.



# BOARD OF WATER SUPPLY

M O U N T V E R N O N , N E W Y O R K

MAYOR SHAWYN PATTERSON HOWARD

COMMISSIONER CARLTON C. SPRUILL

SUPERINTENDENT JOHN F. ARENA

CITY HALL – ROOM 2  
MOUNT VERNON, NY 10550

(914) 668-7820 PHONE  
(914) 668-2316 FAX

September 19, 2025

VIA EMAIL:

Honorable Members of the City Council  
(Through the Office of the Mayor)  
City Hall – 1 Roosevelt Square  
Mount Vernon, NY 10550

RE: REQUESTING FOR LEGISLATION AUTHORIZING ATTENDANCE TO THE  
PROJECT WET FACILITATOR TRAINING

Dear Honorable Council Members:

This letter serves as a formal request for the enactment of legislation authorizing 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.

The Project WET training directly supports our WaterWise initiative, the City's new K-12 and community focused water literacy program. Certification as a Project WET facilitator enables department personnel to train other educators and community partners locally, expand the City's educational reach and public engagement—particularly in underserved communities—align our efforts with statewide STEM and environmental education standards, and establish a foundation for future curriculum development and grant partnerships across the region.

The registration fee is \$30 per attendee. Total expenses (including the registration fee) for hotel accommodations, travel and incidentals are not to exceed \$1,300. These costs will be charged to budget code 001-581-581001, Staff Development & Trainings.

Thank you for your consideration of this request. If you have any questions or concerns, please feel free to contact me.

Respectfully submitted,



Carlton Spruill  
Commissioner



MOUNT VERNON  
THE BOARD OF WATER SUPPLY



NEW YORK  
**project WET**  
WATER EDUCATION TODAY

**2025 Facilitator  
Training**  
Onondaga Lake Visitors  
Center, Syracuse, NY

**Wednesday, 24 September: 10am to 5pm**

**10:00 Welcome & Introductions (Where's Your Watershed? NYS Watershed Map)**

### **Watershed Framing**

- Water “shed” as a framework for connecting culture, communities, people, and the natural world

### **What is WET**

- History, Mission, & Goals of Project WET
- Hand out & Review guides
  - Updates/similarities from WET 2.0 to Foundations of Water Education & Waters in Earth Systems
- Re-familiarizing & Seeing new WET activities
  - Seeing Watersheds
  - Incredible Journey (Urbanized)
  - A Plume Problem
  - Freshwater Giants

### **NYSDEC's Role in WET, Conservation Ed, & EE**

#### **Facilitator Information and Expectations**

- Go through resources
- Expectations of NYSDEC
- Expectations of a Facilitator
- Types of Workshops

### **Facilitator Paperwork**



Department of  
Environmental  
Conservation

# Thursday, 25 September: 9am to 5pm

## 9:00 CTLE training

- Offering NY State Education “Continuing Teacher and Leader Education” (CTLE) credit
- Paperwork!! Is no joke! It’s **not just the Projects or DEC. This is State Ed.**
- **ASK QUESTIONS!!**

## The Nuts & Bolts: Going Through Workshop Logistics

- Organizing a Successful Workshop
  - The Ps: proposal, paperwork, promotion, & planning
  - Getting the A Right: Agenda Planning
  - Finishing Strong: Reporting

## Peer Teaching (getting your workshop started)

- Small groups plan a workshop and present back to the large group
  - Audience, location, agenda, two **marketing strategies**, **Workshop Proposal form**

## Working Lunch

## Peer Teaching cont. -activity time

## Resources from NYSDEC, International Project WET

- Online and other NYSDEC resources
  - Discover the Hudson, Hudson River Lesson Plans, I Fish NY Lesson Plans
  - Water Education Portal/ Online resources
  - SeaGrant Great Lakes Education
  - Research & Misc. Resources
- Share participant resources

## Facilitator Dilemmas

## Trainer in the “Hotseat” or “Ask ‘em while you got ‘em”

## 4:45-5:00pm Wrap-up & Evaluations

## Congratulations New York’s newest WET Facilitators, safe trip home!!!

Dth:9/10/25





# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1654

**Agenda Date:** 9/30/2025

**Agenda #:** 12.

### Board of Estimate & Contract:

#### **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.



CITY OF MOUNT VERNON, N.Y.  
[DEPARTMENT NAME]

SHAWYN PATTERSON-HOWARD  
Mayor

City Hall, One Roosevelt Square  
Mount Vernon, NY. 10550  
(914) 914-665-2343  
email:dpwconcerns@mountvernonny.gov

DAMANI L. BUSH  
Commissioner

ROBERT L. HACKETT  
Deputy Commissioner

JOHN NUCULOVIC  
Deputy Commissioner

September 23, 2025

Honorable Board of Estimate and Contract  
Of the City of Mount Vernon  
City Hall, Mount Vernon, New York 10550  
(Through the Office of the Mayor)

Re: **"Emergency Repairs to the Roofing at the Police Department and Courts"**

Contractor	- Nuvista Designs General Contractors LLC
Partial Payment #2	- <b>\$147,250.00</b>
Funding Source	- Bond Anticipated Note (BAN)

Dear Board Members:

I, Damani Bush, Commissioner of Public Works of the City of Mount Vernon, do hereby state that the work issued below, under the contract between the City of Mount Vernon and Nuvista Designs General Contractors LLC., regarding captioned subject has agreed to be performed in the manner as directed by the terms of the contract.

Therefore, the Contractor, Nuvista Designs General Contractors LLC is entitled to Partial Payment #2 in the amount of **\$147,250.00**. Funds to pay for this are available under the **Bond Anticipation Note (BAN) Budget Code H1620.203 C952**.

TOTAL CONTRACT -----	\$ 620,000.00
CONTRACT SUM TO DATE -----	\$ 620,000.00
TOTAL COMPLETED -----	\$ 310,000.00
LESS 5% RETAINAGE -----	\$ 15,500.00
TOTAL EARNED LESS RETAINAGE -----	\$ 294,500.00
LESS PREVIOUS CERTIFICATES FOR PAYMENT ----	\$ 147,250.00
PARTIAL PAYMENT #2 DUE CONTRACTOR -----	\$ <b>147,250.00</b>

Respectfully,

Damani Bush  
Commissioner of Public Works

Cc: Comptroller    Law Dept.    Engineering Bureau    Contract File

*"The Jewel of Westchester"*



**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**

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**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.



# City of Mount Vernon, New York

## Staff Report

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

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**File #:** TMP -1657

**Agenda Date:** 9/30/2025

**Agenda #:** 13.

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**Board of Estimate & Contract:**

**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.



SHAWYN PATTERSON-HOWARD  
MAYOR

BRIAN G. JOHNSON  
CORPORATION COUNSEL

CITY OF MOUNT VERNON, NEW YORK  
DEPARTMENT OF LAW  
CITY HALL  
ONE ROOSEVELT SQUARE, MOUNT VERNON, NY 10550  
(914) 665-2366 • FAX (914) 665-9142  
WWW.CI.MOUNT-VERNON.NY.US

DEPUTY CORPORATION COUNSEL  
JOHAN S. POWELL

SECOND DEPUTY CORPORATION  
COUNSEL  
CHRISTINE C. LOMBERT

ASSISTANT CORPORATION  
COUNSEL  
Mildred McGuire

**CONFIDENTIAL**

September 18, 2025

(Through Office of the Mayor)

Honorable Board of Estimate and Contract  
City Hall  
Mount Vernon, New York

Re: **Settlement of Lawsuit for Personal Injuries –  
Baerga, Eduardo v. City of Mount Vernon  
Settlement Amount: \$390,000.00**


Honorable Members:

Pursuant to Section 152 of the City Charter, the undersigned respectfully requests the approval of this Honorable Board to settle the above-captioned matter against the City of Mount Vernon for the total sum of \$390,000.00.

Annexed hereto please find letter from Kauff McGuire & Margolis, LLP dated September 17, 2025, explaining why it would be in the best interests of the City to settle for the above amount.

If your Honorable Body agrees, a Resolution approving the settlement of this claim should be adopted.

Respectfully Submitted,

  
Brian G. Johnson  
Corporation Counsel

Cc: Mayor  
Comptroller  
Law Department

**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.



# City of Mount Vernon, New York

## Staff Report

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

**File #:** TMP -1662

**Agenda Date:** 9/30/2025

**Agenda #:** 14.

### Board of Estimate & Contract:

#### **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.



CITY OF MOUNT VERNON, N.Y.  
DEPARTMENT of PUBLIC WORKS

SHAWYN PATTERSON-HOWARD  
*Mayor*

City Hall, One Roosevelt Square  
Mount Vernon, NY. 10550  
(914) 914-665-2343  
email:dpwconcerns@mountvernonny.gov

DAMANI L. BUSH  
*Commissioner*

JOHN NUCULOVIC  
*Deputy Commissioner*

September 30, 2025

Honorable Board of Estimate and Contract  
Of the City of Mount Vernon  
City Hall, Mount Vernon, New York 10550  
(Through the Office of the Mayor)

Re: Request for Payment of EPA Settlement

Dear Board Members,

I, Damani Bush, Commissioner of Public Works respectfully request for payment to be issued to the Environmental Protection Agency for a tank field citation at the 50 West Third Street Firehouse.

After a yearly inspection, a violation was issued by the state for a broken underground storage tank, improper signage, slight paperwork compliance issues, and the lack of a Class-C operator at the aforementioned location. Upon receiving this violation, the department corrected all paperwork and is currently exploring having a Class-C Operator permanently at the location to avoid future penalties. We were waiting for a second walkthrough from the inspector to prove compliance, however they have opted to levy charges in lieu of a second inspection.

**The total cost of this settlement is \$5,724.00. The funding for this payment shall be available via operating budget code A1640.458.**

Respectfully,

Damani Bush  
Commissioner of Department of Public Works

DB/lp

CC: Comptroller  
File

*"The Jewel of Westchester"*



**REGION 2**  
NEW YORK, N.Y. 10007

Via Email: [VRodriguez@mountvernonny.gov](mailto:VRodriguez@mountvernonny.gov)

City of Mount Vernon, Owner  
Third Street Firehouse  
50 West 3<sup>rd</sup> Street  
Mount Vernon, NY 10550

**Re: Field Citation No. II-UST-FC-1449E**  
City of Mount Vernon, Owner  
50 West 3<sup>rd</sup> Street  
Mount Vernon, NY 10550  
Facility ID Number: 3-164844

Dear Vincent Rodriquez:

An Underground Storage Tank (UST) inspection performed at your facility on or about June 27<sup>th</sup>, 2024 revealed that violations of federal UST regulations were present. The enclosed proposed **UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT** provides a list of the identified federal UST violation(s), associated penalty amount(s), and instructions for submitting payment and submitting documentation that the UST violation(s) at the facility has been corrected. Please review the Underground Storage Tank (UST) Field Citation Form for Expedited Settlement and accompanying instructions carefully and respond as indicated in the instructions. **PLEASE NOTE:** If you agree to enter into this expedited agreement, and unless you have applied for an extension as outlined in the instructions, you have thirty (30) days from your receipt of the proposed expedited enforcement compliance order and settlement agreement to pay the penalty and return the signed document and documentation demonstrating compliance to EPA.

Penalty payments can now be made electronically via (Vendor Express, Fedwire, Pay.gov) following the online directions at: <http://www2.epa.gov/financial/makepayment>. Other options can be found on back of the citation form under "Payment."

Please direct proof of payment and all other correspondence to:



Gaetano LaVigna, Senior Advisor  
UST Compliance Team  
Enforcement and Compliance Assurance Division  
U.S. EPA Region 2  
290 Broadway, 21<sup>st</sup> Floor  
New York, NY 10007  
Attn: Wenjun Liang, UST Team

If you have any questions regarding this letter or other related matter, please contact Wenjun Liang at (212) 637-3011 or by email at [Liang.Wenjun@epa.gov](mailto:Liang.Wenjun@epa.gov).

Thank you for your cooperation.

Sincerely,

GAETANO  
LAVIGNA

Digitally signed by  
GAETANO LAVIGNA  
Date: 2024.08.15  
10:56:33 -04'00'

Gaetano LaVigna, Senior Advisor  
UST Compliance Team  
Enforcement and Compliance Assurance Division

Enclosures

cc: Joshua Cummins  
Regional Tank Engineer  
DEC Region 3  
21 South Putt Corners Road  
New Paltz, NY 12561  
[joshua.cummins@dec.ny.gov](mailto:joshua.cummins@dec.ny.gov)

Natasha Court, PE  
Associate Engineer  
Westchester County Department of Health  
25 Moore Avenue  
Mount Kisco, NY 10549  
[nac1@westchestercountyny.gov](mailto:nac1@westchestercountyny.gov)

**SUBMIT THIS COPY TO EPA WITH YOUR DOCUMENTATION OF COMPLIANCE AND COPY OF CHECK**

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 2  
UST Compliance Team, 290 Broadway-21<sup>st</sup> Floor, New York, NY 10007-1866**

**UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. II-UST-FC-1449E**

**PART I: INSPECTION SUMMARY**

On: 6/27/2024 Time: 12:45 pm  
(Date of Inspection)

At: Third Street Firehouse ID: 3-164844  
(Facility Name and Identification Number)

Address: 50 West 3<sup>rd</sup> Street  
Mount Vernon, NY 10550

(Name of On-site Representative If not the Owner or Operator)

Name and address of the UST Owner or Operator:

Affiliation: Operator

Name: Vincent Rodriguez

Address: 50 West 3<sup>rd</sup> Street  
Mount Vernon, NY 10550

A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq.).

1. Violation: Failure to use a spill prevention system.  
Cite: 280.20(c)(Spill prevention)  
Proposed Penalty: \$572
2. Violation: Failure to use a overfill prevention system.  
Cite: 280.20(c)(Overfill prevention)  
Proposed Penalty: \$815
3. Violation: Failure to provide notices to appropriate implementing agency for each tank owned.  
Cite: 280.22(d)  
Proposed Penalty: \$131
4. Violation: Failure to operate and maintain corrosion protection system continuously.  
Cite: 280.31(a)  
Proposed Penalty: \$815
5. Violation: Failure to maintain any records of operation and maintenance walkthrough inspections (30-day frequency).  
Cite: 280.36(b)(30-day frequency)  
Proposed Penalty: \$815
6. Violation: Failure to monitor tanks installed on or before April 11, 2016, at least every 30 days.  
Cite: 280.41(a)(1)  
Proposed Penalty: \$815
7. Violation: Failure to properly conduct release detection for underground piping.  
Cite: 280.44  
Proposed Penalty: \$815
8. Violation: Failure to designate each individual who meets the definition of class C Operator.  
Cite: 280.241(b)  
Proposed Penalty: \$815
9. Violation: Failure to maintain a list of designated operators.  
Cite: 280.245(a)  
Proposed Penalty: \$131

**PROPOSED PENALTY TOTAL: \$5,724**

EPA finds the Owner or Operator in violation of the above referenced UST regulations.

**WENJUN  
LIANG**

Digitally signed by WENJUN  
LIANG  
Date: 2024.08.15 10:36:43  
-04'00'

Date:

(Signature of Authorized Officer or Employee of EPA)

**PART II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER**

**A. Settlement Agreement:** The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:

The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. Government, that he or she has corrected the violations, submitted true and accurate documentation of their correction, and submitted payment to the U.S. Treasury for the amount of \$5,724 in payment of the full proposed penalty amount, as described in Part I of this Form.

The Owner or Operator agrees to comply with the terms of the Compliance Order in Part II.B. Without admitting liability for the violations cited in Part I, the Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. The Owner or Operator waives the opportunity for a public hearing pursuant to RCRA section 9006.

Once EPA signs the Settlement Agreement, EPA will take no further enforcement action against the Owner or Operator for the civil violations described in Part I, provided the violations have been timely corrected and the penalty has been paid. EPA does not waive its right to enforce against the Owner or Operator for any other violations not described in Part I and violations of the UST requirements or other requirements listed in Part I that were not corrected in a timely manner.

This Settlement Agreement and Compliance Order will become effective once signed by EPA and is binding on EPA and the Owner or Operator upon signature by both parties. Final approval of the Settlement Agreement and Compliance Order is in the sole discretion of the Regional Administrator, Region 2, EPA, or his or her authorized delegate. Upon final approval, EPA shall mail a copy of this document to the Owner or Operator signing below.

**SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:**

Name (print):

Title (print):

Signature: \_\_\_\_\_ Date:

**B. Compliance Order:** This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. This Compliance Order shall become final and enforceable only upon signature by an EPA official with the authority to sign this document.

**SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:**

Name (print): Leonard Voo

Title (print): Manager, RCRA Compliance Branch

Signature: \_\_\_\_\_ Date:

**Notes:**

## INSTRUCTIONS

On the reverse side is an Underground Storage Tank (UST) Field Citation Form (Form) for expedited settlement. If you, the Owner or Operator, wish to settle this case using this Form, you must do the following:

1. Correct the violation(s) cited in Part I of the Form ("Part I");
2. Pay the total penalty amount listed in Part I in accordance with the directions provided below;
3. Sign the Settlement Agreement in Part II of the Form ("Part II") (or in the case when an Owner or Operator is a corporate entity, have an authorized representative sign it); and
4. Return the Field Citation Form along with documentation of compliance and payment information (sufficient for EPA to track payment) to EPA at the following address (within the 30-day time limit specified below):

Gaetano LaVigna, Senior Advisor  
UST Compliance Team  
U.S. EPA Region 2  
290 Broadway, 21<sup>st</sup> Floor  
New York, NY 10007  
[LaVigna.Gaetano@epa.gov](mailto:LaVigna.Gaetano@epa.gov)

This settlement process is optional. You are not required to submit this Form to EPA. If you do not submit this Form, EPA will conclude that you are not interested in pursuing an expedited settlement. EPA will then consider other actions to resolve these violations including the possibility of formal administrative or judicial enforcement.

**Whether you submit the Form or not, you are by law required to correct any noncompliance and comply with all applicable UST requirements.** EPA will not approve the Settlement Agreement if there is an alteration of any of the information in the Form or if the payment submitted is less than the full amount of settlement.

**Timeline:** The Form must be postmarked no later than thirty (30) days after the date of the inspection. In the event the Form is sent to you via registered or certified mail, the timeline begins on the date of receipt of that mail. If EPA does not receive the Form within thirty (30) days, EPA will conclude that you do not wish to pursue expedited settlement. EPA will then consider taking other actions to resolve these violations including pursuing formal administrative or judicial enforcement. (Note: All time periods and deadlines in the Form, including these Instructions, are in calendar days. If a deadline falls on a Saturday, Sunday, or federal holiday, EPA will consider the deadline to fall on the next business day.)

**Requesting An Extension:** EPA may grant, at its discretion, an extension of thirty (30) days if you can demonstrate that it is not feasible for you to come into compliance within the initial 30-day time period. You must request that extension in writing before the initial 30-day time period expires. That written request must explain why compliance within 30 days is not feasible and it must contain a schedule for when you will come into compliance (which must not extend beyond the 30-day extension period).

**Requesting that EPA Modify or Withdraw the Form:** If you can document that you were in compliance with the regulations cited in Part I at the time of the inspection, you must submit that documentation to EPA within fifteen (15) calendar days of your receipt of the Form. EPA will review the documentation and may choose to not pursue enforcement or may withdraw some or all of the violations and reissue a modified Form to the Owner/Operator (via certified or registered mail) for any violations that are not withdrawn.

**Payment:** Electronic deposits for payment (Vendor Express, Fedwire, Pay.gov) can be made following these online directions: <http://www2.epa.gov/financial/makepayment>. Payment can also be made by sending a personal or certified check made out to the "Treasury of the United States" to the following address: U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979078, St. Louis, MO 63197-9000. The check should refer to the Field Citation Form Number (located at the top of the Form). If no such number is provided on the Form, the check should have the name of the facility on it. Other forms of payment such as wire transfers are also accepted by EPA. For further information on those other forms of payment, please email [CINWD\\_AcctsReceivable@epa.gov](mailto:CINWD_AcctsReceivable@epa.gov) or use the EPA contact listed below.

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If you have any questions, please contact Gaetano La Vigna at (212) 637-4069 or by e-mail at [LaVigna.Gaetano@epa.gov](mailto:LaVigna.Gaetano@epa.gov).

*Revised April 2020*

SUBMIT THIS COPY TO CINCINNATI FINANCE CENTER IN ST. LOUIS, MO WITH YOUR CHECK

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 2  
UST Compliance Team, 290 Broadway-21<sup>st</sup> Floor, New York, NY 10007-1866

UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. II-UST-FC-1449E

PART I: INSPECTION SUMMARY	PART II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER
<p>On: 6/27/2024 Time: 12:45 pm (Date of Inspection)</p> <p>At: Third Street Firehouse ID: 3-164844 (Facility Name and Identification Number)</p> <p>Address: 50 West 3<sup>rd</sup> Street Mount Vernon, NY 10550</p> <p>(Name of On-site Representative if not the Owner or Operator)</p> <p>Name and address of the UST Owner or Operator:</p> <p>Affiliation: Operator</p> <p>Name: Vincent Rodriguez</p> <p>Address: 50 West 3<sup>rd</sup> Street Mount Vernon, NY 10550</p> <p>A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq.).</p> <p>1. Violation: Failure to use a spill prevention system. Cite: 280.20(c)(Spill prevention) Proposed Penalty: \$572</p> <p>2. Violation: Failure to use a overfill prevention system. Cite: 280.20(c)(Overfill prevention) Proposed Penalty: \$815</p> <p>3. Violation: Failure to provide notices to appropriate implementing agency for each tank owned. Cite: 280.22(d) Proposed Penalty: \$131</p> <p>4. Violation: Failure to operate and maintain corrosion protection system continuously. Cite: 280.31(a) Proposed Penalty: \$815</p> <p>5. Violation: Failure to maintain any records of operation and maintenance walkthrough inspections (30-day frequency). Cite: 280.36(b)(30-day frequency) Proposed Penalty: \$815</p> <p>6. Violation: Failure to monitor tanks installed on or before April 11, 2016, at least every 30 days. Cite: 280.41(a)(1) Proposed Penalty: \$815</p> <p>7. Violation: Failure to properly conduct release detection for underground piping. Cite: 280.44 Proposed Penalty: \$815</p> <p>8. Violation: Failure to designate each individual who meets the definition of class C Operator. Cite: 280.241(b) Proposed Penalty: \$815</p> <p>9. Violation: Failure to maintain a list of designated operators. Cite: 280.245(a) Proposed Penalty: \$131</p> <p>PROPOSED PENALTY TOTAL: \$5,724</p> <p>EPA finds the Owner or Operator in violation of the above referenced UST regulations.</p> <p>WENJUN LIANG Digitally signed by WENJUN LIANG Date: 2024.06.16 10:36:00 -04'00'</p> <p>Date:</p> <p>(Signature of Authorized Officer or Employee of EPA)</p>	<p><b>A. Settlement Agreement:</b> The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:</p> <p>The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. Government, that he or she has corrected the violations, submitted true and accurate documentation of their correction, and submitted payment to the U.S. Treasury for the amount of \$5,724 in payment of the full proposed penalty amount, as described in Part I of this Form.</p> <p>The Owner or Operator agrees to comply with the terms of the Compliance Order in Part II.B. Without admitting liability for the violations cited in Part I, the Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. The Owner or Operator waives the opportunity for a public hearing pursuant to RCRA section 9006.</p> <p>Once EPA signs the Settlement Agreement, EPA will take no further enforcement action against the Owner or Operator for the civil violations described in Part I, provided the violations have been timely corrected and the penalty has been paid. EPA does not waive its right to enforce against the Owner or Operator for any other violations not described in Part I and violations of the UST requirements or other requirements listed in Part I that were not corrected in a timely manner.</p> <p>This Settlement Agreement and Compliance Order will become effective once signed by EPA and is binding on EPA and the Owner or Operator upon signature by both parties. Final approval of the Settlement Agreement and Compliance Order is in the sole discretion of the Regional Administrator, Region 2, EPA, or his or her authorized delegate. Upon final approval, EPA shall mail a copy of this document to the Owner or Operator signing below.</p> <p><b>SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:</b></p> <p>Name (print):</p> <p>Title (print):</p> <p>Signature: _____ Date: _____</p> <p><b>B. Compliance Order:</b> This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. This Compliance Order shall become final and enforceable only upon signature by an EPA official with the authority to sign this document.</p> <p><b>SIGNATURE BY EPA APPROVING THE SETTLEMENT AGREEMENT AND COMPLIANCE ORDER:</b></p> <p>Name (print): Leonard Voo</p> <p>Title (print): Manager, RCRA Compliance Branch</p> <p>Signature: _____ Date: _____</p> <p><b>Notes:</b></p>



## INSTRUCTIONS

On the reverse side is an Underground Storage Tank (UST) Field Citation Form (Form) for expedited settlement. If you, the Owner or Operator, wish to settle this case using this Form, you must do the following:

1. Correct the violation(s) cited in Part I of the Form ("Part I");
2. Pay the total penalty amount listed in Part I in accordance with the directions provided below;
3. Sign the Settlement Agreement in Part II of the Form ("Part II") (or in the case when an Owner or Operator is a corporate entity, have an authorized representative sign it); and
4. Return the Field Citation Form along with documentation of compliance and payment information (sufficient for EPA to track payment) to EPA at the following address (within the 30-day time limit specified below):

Gaetano LaVigna, Senior Advisor  
UST Compliance Team  
U.S. EPA Region 2  
290 Broadway, 21<sup>st</sup> Floor  
New York, NY 10007  
[LaVigna.Gaetano@epa.gov](mailto:LaVigna.Gaetano@epa.gov)

This settlement process is optional. You are not required to submit this Form to EPA. If you do not submit this Form, EPA will conclude that you are not interested in pursuing an expedited settlement. EPA will then consider other actions to resolve these violations including the possibility of formal administrative or judicial enforcement.

**Whether you submit the Form or not, you are by law required to correct any noncompliance and comply with all applicable UST requirements.** EPA will not approve the Settlement Agreement if there is an alteration of any of the information in the Form or if the payment submitted is less than the full amount of settlement.

**Timeline:** The Form must be postmarked no later than thirty (30) days after the date of the inspection. In the event the Form is sent to you via registered or certified mail, the timeline begins on the date of receipt of that mail. If EPA does not receive the Form within thirty (30) days, EPA will conclude that you do not wish to pursue expedited settlement. EPA will then consider taking other actions to resolve these violations including pursuing formal administrative or judicial enforcement. (Note: All time periods and deadlines in the Form, including these Instructions, are in calendar days. If a deadline falls on a Saturday, Sunday, or federal holiday, EPA will consider the deadline to fall on the next business day.)

**Requesting An Extension:** EPA may grant, at its discretion, an extension of thirty (30) days if you can demonstrate that it is not feasible for you to come into compliance within the initial 30-day time period. You must request that extension in writing before the initial 30-day time period expires. That written request must explain why compliance within 30 days is not feasible and it must contain a schedule for when you will come into compliance (which must not extend beyond the 30-day extension period).

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**Payment:** Electronic deposits for payment (Vendor Express, Fedwire, Pay.gov) can be made following these online directions: <http://www2.epa.gov/financial/makepayment>. Payment can also be made by sending a personal or certified check made out to the "Treasury of the United States" to the following address: U.S. Environmental Protection Agency, Fines and Penalties, Cincinnati Finance Center, P.O. Box 979078, St. Louis, MO 63197-9000. The check should refer to the Field Citation Form Number (located at the top of the Form). If no such number is provided on the Form, the check should have the name of the facility on it. Other forms of payment such as wire transfers are also accepted by EPA. For further information on those other forms of payment, please email [CINWD\\_AcctsReceivable@epa.gov](mailto:CINWD_AcctsReceivable@epa.gov) or use the EPA contact listed below.

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If you have any questions, please contact Gaetano La Vigna at (212) 637-4069 or by e-mail at [LaVigna.Gaetano@epa.gov](mailto:LaVigna.Gaetano@epa.gov).

*Revised April 2020*

**KEEP THIS COPY FOR YOUR RECORDS**

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION 2**  
**UST Compliance Team, 290 Broadway-21<sup>st</sup> Floor, New York, NY 10007-1866**

**UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. II-UST-FC-1449E**

PART I: INSPECTION SUMMARY	PART II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER
<p>On: 6/27/2024 Time: 12:45 pm            (Date of Inspection)</p> <p>At: Third Street Firehouse ID: 3-164844            (Facility Name and Identification Number)</p> <p>Address: 50 West 3<sup>rd</sup> Street            Mount Vernon, NY 10550</p> <p>_____            (Name of On-site Representative If not the Owner or Operator)</p> <p>Name and address of the UST Owner or Operator:</p> <p>Affiliation: Operator</p> <p>Name: Vincent Rodriguez</p> <p>Address: 50 West 3<sup>rd</sup> Street            Mount Vernon, NY 10550</p> <p>A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq.).</p> <ol style="list-style-type: none"> <li>1. Violation: Failure to use a spill prevention system.              Cite: 280.20(c)(Spill prevention)              Proposed Penalty: <u>\$572</u></li> <li>2. Violation: Failure to use a overfill prevention system.              Cite: 280.20(c)(Overfill prevention)              Proposed Penalty: <u>\$815</u></li> <li>3. Violation: Failure to provide notices to appropriate implementing agency for each tank owned.              Cite: 280.22(d)              Proposed Penalty: <u>\$131</u></li> <li>4. Violation: Failure to operate and maintain corrosion protection system continuously.              Cite: 280.31(a)              Proposed Penalty: <u>\$815</u></li> <li>5. Violation: Failure to maintain any records of operation and maintenance walkthrough inspections (30-day frequency).              Cite: 280.36(b)(30-day frequency)              Proposed Penalty: <u>\$815</u></li> <li>6. Violation: Failure to monitor tanks installed on or before April 11, 2016, at least every 30 days.              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Cite: 280.245(a)              Proposed Penalty: <u>\$131</u></li> </ol> <p align="right"><b>PROPOSED PENALTY TOTAL: \$5,724</b></p> <p>EPA finds the Owner or Operator in violation of the above referenced UST regulations.</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> <p><b>WENJUN</b> <b>LIANG</b></p> <p>_____              (Signature of Authorized Officer or Employee of EPA)</p> </div> <div style="text-align: center;"> <p><small>Digitally signed by WENJUN LIANG              Date: 2024.08.16 10:36:34 -04'00'</small></p> <p>Date: _____</p> </div> </div>	<p><b>A. Settlement Agreement:</b> The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:</p> <p>The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. 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Upon final approval, EPA shall mail a copy of this document to the Owner or Operator signing below.</p> <p><b>SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:</b></p> <p>Name (print): _____</p> <p>Title (print): _____</p> <p>Signature: _____ Date: _____</p> <p><b>B. Compliance Order:</b> This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. 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*Revised April 2020*

**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.