

# **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, November 25, 2025**

**7:00 PM**

**CITY COUNCIL CHAMBERS  
CITY HALL**

### **City Council**

***NICOLE BONILLA, M.B.A.***  
***City Clerk***

***JORDAN A. RIULLANO, J.D.***  
***Deputy City Clerk***

**A REGULAR MEETING OF THE CITY OF THE MOUNT VERNON CITY COUNCIL  
HELD ON TUESDAY, NOVEMBER 25, 2025.**

**Scheduled for 7:00 pm in the City Council Chambers, City Hall, Mount Vernon, New York.**

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

**PRESIDING:** Danielle Browne, President

**OTHERS:** Nicole Bonilla, City Clerk; Antoinette Anderson, Legislative Aide; Johan Powell, Deputy Corporation Counsel.

**CALL TO ORDER / PLEDGE OF ALLEGIANCE**

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

**PUBLIC COMMENT**

**REFERRAL SESSION**

Roll Call administered by City Clerk Nicole Bonilla

**REPORTS OF STANDING COMMITTEES AND ACTION THEREON**

**To the Council:**

**LEGISLATION AND PUBLIC WORKS**

1. [\*\*TMP  
-1764\*\*](#) Law Department: An Ordinance Amending Chapter 149 entitled "Housing Standards," Article I. General Provision, §149-42 (A) Inspections of the Code of the City of Mount Vernon, New York

**Code:** LPW

2. [\*\*TMP  
-1715\*\*](#) Department of Public Works: An Ordinance Authorizing the Purchase of Downtown Trash Receptacles for Business Districts

**Code:** LPW

3. [\*\*TMP  
-1759\*\*](#) Department of Public Works: An Ordinance Authorizing the Issuance of an Invitation for Bids (RFB No. 11.25) for the One-Time Removal and Disposal of Construction and Demolition (C&D) Debris at the 33 Canal Street Trash Yard

**Code:** LPW

4. [TMP](#)  
[-1769](#) City Clerk: A Resolution Authorizing the Re-appointment of Beresford Granston and F. Romall Smalls to the Board of Ethics - (commencing November 25, 2025, and expiring November 24, 2027)

**Code:** LPW

5. [TMP](#)  
[-1770](#) City Clerk: A Resolution of the City Council of the City of Mount Vernon Re-appointing Curtis Brewington and Blair Hoplight to the Board of Ethics - (December 26, 2025, and expiring on December 25, 2027)

**Code:** LPW

**To the Council:**

### **HUMAN RESOURCES**

6. [TMP](#)  
[-1744](#) Department of Recreation: An Ordinance Retroactively Authorizing the Mayor to Enter into an Agreement with the Westchester Board of Legislators to Provide Funding for the 2025 Summer Basketball Camp and Amending the City Budget Accordingly

**Code:** HR

7. [TMP](#)  
[-1745](#) Department of Recreation: An Ordinance Amending Chapter 186, "Parks and Playgrounds," § 186-17, "Tots Lots," of the Code of the City of Mount Vernon

**Code:** HR

**To the Council:**

### **PUBLIC SAFETY AND CODES**

8. [TMP](#)  
[-1756](#) Department of Buildings: An Ordinance Authorizing Budget Line Transfers Within the Department of Buildings

**Code:** PSC

9. [TMP](#)  
[-1757](#) Department of Buildings: An Ordinance to Establish a List of Qualified Vendors for Third-Party Inspection Services for the Department of Buildings

**Code:** PSC

10. [TMP](#)  
[-1738](#) Fire Department: An Ordinance Authorizing the Acceptance of a \$95,000 Grant for the Purchase of a Replacement Compressor for the Fire Department

**Code:** PSC

**To the Council:****FINANCE AND PLANNING**

11. [TMP](#)  
[-1763](#) Department of Buildings: An Ordinance Authorizing the City Comptroller to Establish a Custodial Account for the Development Project Located at 115 MacQuesten Parkway
- Code:** PSC
12. [TMP](#)  
[-1754](#) Real Estate Committee: An Ordinance Rescinding the Recommendation for the Sale of City-Owned Property Located at 328 South 1st Avenue (Parcel ID: 169.31.3120.10) - (Valon Nikci of Bedrock Company)
- Code:** FP
13. [TMP](#)  
[-1767](#) Real Estate Committee: An Ordinance Authorizing the Sale and Conveyance of City-Owned Property Located at 328 South 1st Avenue ((Parcel ID: 169.31.3120.10) to Webb Development Services Corp.
- Code:** FP
14. [TMP](#)  
[-1768](#) Real Estate Committee: An Ordinance Authorizing the Sale of City-Owned Property Located at 146 South 13th Avenue, Mount Vernon, NY - (PARCEL ID: 169.21.3014.17) - (to Ms. Jeannette Garcia for the purchase price of \$200,000)
- Code:** FP
15. [TMP](#)  
[-1765](#) City Council: A Resolution of the City Council of the City of Mount Vernon Adopting a Negative Declaration Pursuant to SEQRA Regarding the Adoption of the Envision Mount Vernon Comprehensive Plan
- Code:** FP
16. [TMP](#)  
[-1766](#) City Council: A Resolution of the City Council of the City of Mount Vernon Adopting the Envision Mount Vernon Comprehensive Plan
- Code:** FP

**ADD-ON****LEGISLATION AND PUBLIC WORKS**

17. [TMP](#)  
[-1773](#) City Council: An Ordinance Authorizing the Transfer of Funds to Budget Line A1010.405 (Contracted Outside Services)
- Code:** LPW



**FINANCE AND PLANNING**

18. **TMP** Office of the Comptroller: An Ordinance Authorizing a Temporary Spending Freeze  
**-1774** on Non-Essential Expenditures through February 2026

**Code:** FP

**OTHER BUSINESS/CLOSING COMMENTS**



# 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 -1764

**Agenda Date:** 11/18/2025

**Agenda #:** 1.

### City Council:

#### **AN ORDINANCE AMENDING CHAPTER 149 ENTITLED “HOUSING STANDARDS,” ARTICLE I. GENERAL PROVISIONS, §149-42 (A) INSPECTIONS OF THE CODE OF THE CITY OF MOUNT VERNON, NEW YORK**

**WHEREAS**, the City of Mount desires to update Chapter 149, entitled “Housing Standards,” Article I. General Provisions, §149-42 (A) Inspections of the Code of the City of Mount Vernon, New York, to reflect the City’s current code enforcement practices; and

**WHEREAS**, the City recognizes the importance of ensuring that its inspection protocols remain aligned with evolving code enforcement and administrative protocols and best practices for promoting safe and habitable housing conditions within the community; and

**WHEREAS**, the City further seeks to clarify and modernize the language of §149-42(A) to enhance transparency, improve implementation, and ensure that the ordinance reflects the manner in which inspections are actually conducted, without altering the substantive authority historically exercised under this section; and

**WHEREAS**, this amendment is intended to provide greater clarity and operational consistency; NOW, THEREFORE,

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

Section 1. §149-42. Inspections.

A. Building Department inspectors are hereby authorized to carry out their code-enforcement duties in accordance with the City of Mount Vernon Local Government Code Enforcement Program and the City's Administrative Search Warrant Procedure. In furtherance of such responsibilities, inspectors may enter any premises in accordance with applicable law, including but not limited to (i) upon consent of the owner or a tenant with authority to grant access; (ii) upon circumstances constituting an emergency or (iii) pursuant to a duly issued administrative search warrant, whenever such entry is necessary to safeguard the public interest. [and have the right, in the performance of their duties, to enter any premises during normal business hours and in emergencies whenever necessary to protect the public interest.]

Section 2. This ordinance shall take effect immediately.

New matter underlined

Deleted matter in brackets [ ]



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 LOMBERT

ASSISTANT CORPORATION  
COUNSEL  
MILDRED MCGUIRE

November 19, 2025

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

RE: Request to Amend Chapter 149 entitled "Housing Standards," Article I. General Provision, §149-42 (A) Inspections of the Code of the City of Mount Vernon, New York

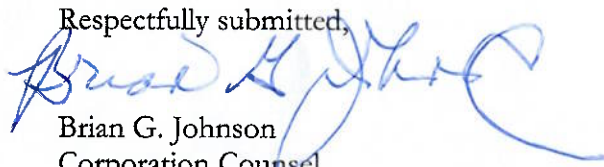
Dear Honorable City Council Members,

This letter respectfully requests that the Honorable City Council adopt an ordinance amending Chapter 149 entitled "Housing Standards," Article I. General Provision, §149-42 (A) Inspections of the Code of the City of Mount Vernon, New York.

The City of Mount Vernon desires to update this ordinance to reflect the City's current code enforcement practices, as the City recognizes the importance of ensuring that its inspection protocols remain aligned with evolving code enforcement and administrative protocols and best practices for promoting safe and habitable housing conditions within the community.

The City further seeks to clarify and modernize the language of §149-42(A) to enhance transparency, improve implementation, and ensure that the ordinance reflects how inspections are conducted, without altering the substantive authority historically exercised.

Respectfully submitted,

  
Brian G. Johnson  
Corporation Counsel  
City of Mount Vernon

**AN ORDINANCE AMENDING CHAPTER 149 ENTITLED  
“HOUSING STANDARDS,” ARTICLE I. GENERAL  
PROVISIONS, §149-42 (A) INSPECTIONS OF THE  
CODE OF THE CITY OF MOUNT VERNON, NEW YORK**

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**WHEREAS**, the City recognizes the importance of ensuring that its inspection protocols remain aligned with evolving code enforcement and administrative protocols and best practices for promoting safe and habitable housing conditions within the community; and

**WHEREAS**, the City further seeks to clarify and modernize the language of §149-42(A) to enhance transparency, improve implementation, and ensure that the ordinance reflects the manner in which inspections are actually conducted, without altering the substantive authority historically exercised under this section; and

**WHEREAS**, this amendment is intended to provide greater clarity and operational consistency; NOW, THEREFORE,

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

Section 1.   §149-42. Inspections.

A. Building Department inspectors are hereby authorized to carry out their code-enforcement duties in accordance with the City of Mount Vernon Local Government Code Enforcement Program and the City's Administrative Search Warrant Procedure. In furtherance of such responsibilities, inspectors may enter any premises in accordance with applicable law, including but not limited to (i) upon consent of the owner or a tenant with authority to grant access; (ii) upon circumstances constituting an emergency or (iii) pursuant to a duly issued administrative search warrant, whenever such entry is necessary to safeguard the public interest. [and have the right, in the performance of their duties, to enter any premises during normal business hours and in emergencies whenever necessary to protect the public interest.]

Section 2.   This ordinance shall take effect immediately.

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# City of Mount Vernon, New York

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**File #:** TMP -1715

**Agenda Date:** 11/12/2025

**Agenda #:** 2.

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

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, authorizing the Purchase of Downtown Trash Receptacles for Business Districts - (\$20,000 to be charged to the appropriate Department of Public Works Budget Line A8160.203 (Equipment), as approved by the Comptroller)); be, and the same is hereby approved.

### **City Council:**

#### **AN ORDINANCE AUTHORIZING THE PURCHASE OF DOWNTOWN TRASH RECEPTACLES FOR BUSINESS DISTRICTS**

**Whereas**, in correspondence dated October 27, 2025, the Commissioner of the Department of Public Works formally requested authorization for the Department of Public Works, in coordination with the City's Purchasing Office, to purchase commercial-grade, approximately 32-gallon slatted steel trash receptacles with rigid liners, in-ground mounting kits, and delivery to the DPW yard, for use in downtown and business districts throughout the City of Mount Vernon; and

**Whereas**, the Department of Public Works ("DPW") has identified that the existing wire trash baskets located in high-traffic commercial corridors throughout the City of Mount Vernon have reached or exceeded their useful life; and

**Whereas**, many of these receptacles are rusted, missing liners, or structurally compromised, resulting in recurring litter overflow, sanitation inefficiencies, and an overall negative impact on the visual appearance and environmental health of the City's business districts; and

**Whereas**, the Department of Public Works has recommended replacing these outdated receptacles with standardized, commercial-grade steel trash receptacles that will improve waste containment, enhance pedestrian experiences, and promote cleaner, safer streets throughout Mount Vernon's downtown and business areas; and

**Whereas**, this initiative supports the City's broader goals of beautification, sustainability, and public safety, while also contributing to the economic vitality and civic pride of the community; and

**Whereas**, the proposed purchase will include approximately thirty-two (32) gallon, slatted steel trash receptacles with side openings, rigid liners, in-ground mounting kits, and freight delivery to the DPW yard, to be procured in accordance with the City's Procurement Policy; and

**Whereas**, the total cost of the purchase shall not exceed Twenty Thousand Dollars (\$20,000), and the Department of Public Works recommends the purchase from Belson Outdoors, the selected vendor, in compliance with all applicable purchasing procedures.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mount Vernon, in regular session convened, as follows:

**Section 1. Authorization to Purchase.** The City Council hereby authorizes the Department of Public Works, in coordination with the City's Purchasing Office, to purchase commercial-grade, approximately 32-gallon slatted steel trash receptacles with rigid liners, in-ground mounting kits, and delivery to the DPW yard, for use in downtown and business districts throughout the City of Mount Vernon.

**Section 2. Vendor and Procurement Compliance.** Said purchase shall be made from Belson Outdoors, pursuant to applicable procurement laws, policies, and procedures of the City of Mount Vernon. The Purchasing Office shall issue the necessary purchase order(s) to facilitate this procurement.

**Section 3. Funding.** The total expenditure authorized under this Ordinance shall not exceed \$20,000, to be charged to the appropriate Department of Public Works Budget Line A8160.203 (Equipment), as approved by the Comptroller.

**Section 4. Purpose and Intent.** This authorization is intended to promote cleaner, safer, and more visually appealing business corridors; enhance sanitation efficiency; and support the City's ongoing beautification and public health initiatives.

**Section 5. Implementation.** The Department of Public Works is hereby authorized and directed to coordinate the acquisition, installation, and deployment of the new trash receptacles in designated downtown and business district locations.

**Section 6. Severability.** Suppose any clause, sentence, paragraph, or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid. In that case, such judgment shall not affect, impair, or invalidate the remainder thereof.

**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, 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*

RYAN ULRICH  
*Deputy Commissioner*

November 20<sup>th</sup>, 2025

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

**Re: Authorization to Purchase Downtown Trash Receptacles for Business Districts**

Dear City Council,

The Department of Public Works ("DPW") respectfully requests that the above-referenced item be placed on the agenda for consideration at the next scheduled City Council meeting.

**Project Background**

The City's existing wire trash baskets located in high-traffic commercial areas have reached or exceeded their useful life. Many are rusted, missing liners, or structurally compromised, leading to recurring overflow, litter accumulation, and sanitation inefficiencies. In their current state, these outdated receptacles create negative visual and environmental impacts, contribute to rodent and pest issues, and increase the time and labor required for daily collections by sanitation crews.

Replacing these aging baskets with standardized, commercial-grade steel receptacles is essential to improving the City's appearance, supporting cleaner and safer streets, and promoting Mount Vernon's economic vitality. The new receptacles will provide better containment of waste, reduce windblown debris, and enhance pedestrian experiences within our business districts. This initiative aligns with the administration's broader beautification, public safety, and sustainability goals, ensuring a visible improvement to the City's commercial corridors while strengthening civic pride and operational efficiency.

**Proposed Purchase (Specifications & Scope)**

Under this request, the City will procure commercial-grade, approximately 32-gallon, slatted steel trash receptacles with side opening, including:

- Receptacle body (steel)
- Rigid liner(s)
- In-ground mounting kits
- Freight/delivery to DPW yard



Procurement will be handled by the Purchasing Office in accordance with City policy. Final unit quantities will be set once pricing is confirmed and will not exceed the authorized budget.

### **Procurement Summary**

DPW obtained three written quotes for commercial-grade downtown litter receptacles, including Belson Outdoors (two configurations) and Witt Industries. All three quotes were reviewed for price, product specifications, and compatibility with existing City infrastructure.

In accordance with the City's Procurement Policy, as amended and adopted by the City Council on April 24, 2024 (Agenda Item: Purchasing Policy Update, pp. 18–19), purchases under \$35,000 for DPW projects do not require a formal competitive bid. This procurement totals \$20,000, falling within the threshold and meeting all documentation requirements.

The recommended vendor offers the best combination of pricing, product durability, and compatibility with the City's existing units.

### **Requested Action**

The Department of Public Works respectfully requests that the Mount Vernon City Council:

1. Authorize DPW and the Purchasing Office to purchase new downtown trash receptacles (with liners and in-ground mounts) for installation in City Business Districts, in an amount not to exceed **\$20,000, from Belson Outdoors.**
2. Authorize issuance of the necessary purchase order(s) in accordance with the City's Procurement Policy via Belson Outdoors.

The selected vendor is being recommended based on pricing, availability, and product compatibility with existing City infrastructure.

This purchase will support cleaner streets, reduce litter, and improve operational efficiency for sanitation crews.

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

### **Funding**

The total associated cost for this purchase shall not exceed **\$20,000**

Funding for this purchase will be made through – A8160.203 (Equipment)

Respectfully,



**Damani L. Bush**

Commissioner of Public Works

DB/ru

### **Attachments**

1. Vendor quotation(s) for receptacles, liners, and mounts

*"The Jewel of Westchester"*

Quote

Date: 11/24/2025

LF Quote#: 0000452459

PO#:

Project: City of Mount Vernon - Litters

Bill To: City of Mount Vernon  
ATTN: Accounts Payable  
1 Roosevelt Square North  
Mount Vernon, New York 10550

**CORPORATE**  
7800 E. Michigan Avenue  
Kalamazoo, MI 49048-9543  
P: 800.521.2546 F: 269.381.3455  
www.landscapeforms.com  
Federal I.D.# 38-1897577  
FSC# PBN-COC-001261

Ship To: City of Mount Vernon  
ATTN: Gimeno Simmonds  
TBA  
Mount Vernon, NY 10550

Ship To Contact Phone:914-665-2341  
Ship Via: Common Carrier  
F.O.B.: Destination

Qty	Description	Unit Price	Total Price
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CONTRACT: OMNIA #07-100

**When ordering please confirm:**

- Shipping address and contact information (name and ph#)
- Billing address and contact information
- Is your firm or the project tax exempt? If so, exemption certificate must accompany order
- Delivery schedule:  
    Ship immediately upon completion  
    OR Ship On/After the date:\_\_\_\_\_

13	Austin Litter		\$ 1,872.27	\$ 24,339.51
	Style:	Side Opening, 34 gal. capacity		
	Powdercoat Color:	To Be Advised		

Item Total	\$ 24,339.51
Shipping & Handling	\$ 4,570.00
Sub Total	\$ 28,909.51
Estimated Tax	\$ 0.00
Document Total	\$ 28,909.51

Payment Terms: NET 30 - PENDING CRED APPROVAL

Landscape Forms, Inc. reserves the right to change payment terms based on payment history as well as information obtained from commercial credit reporting agencies.

- Purchaser is responsible for confirming options, materials, quantities, etc., for completeness and conformity to plans and specifications.

# Quote

Date: 11/24/2025

LF Quote#: 0000452459

PO#:

Project: City of Mount Vernon - Litters

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TBA  
Mount Vernon, NY 10550

Ship To Contact Phone: 914-665-2341

Ship Via: Common Carrier

F.O.B.: Destination

- Changes to or cancellations of standard product orders may incur a penalty charge of 30% or more.
- Orders including modified or custom product (Specials and/or Studio 431) may not be cancelled. If an order is terminated by the customer, payment in full is expected for the product subtotal regardless of current project status.
- Orders including modified or custom product (Specials and/or Studio 431) are subject to price increase after engineering/product development is complete and approved by the customer. Modifications in price will be handled via change order.
- All manufacturing of product, as engineered and/or designed by Landscape Forms, shall be performed exclusively by Landscape Forms or its expressly authorized affiliates or subcontractors. Customer shall not engage any third party for the manufacture of said Product without the prior written consent of Landscape Forms.
- All orders that include a swing product must include an executed liability waiver to be accepted and entered into production.
- Only the Material Supplier Standard Limited Warranty shall apply to all product sold by Landscape Forms. No other warranties or changes to the standard warranty will be applied or accepted.
- No merchandise can be returned without authorization from Landscape Forms. Returns may be subject to a disposition fee of 30-100%.
- Prices based on quantities shown and quantity changes may affect price.
- QUOTED prices are held for 60 days. After receipt of a written ORDER, prices will be held for up to twelve months from receipt of the order. Changes in quantity or specification may affect pricing. Upfit and Scenic pricing will only be held for six months after receipt of a written order.
- Pricing includes selection from our standard color palette. Optional colors and custom color matches are available for an additional fee and will extend lead-time. Please contact our corporate office for more information.
- Fixtures for custom products are the property of Landscape Forms, Inc., and are not available for sale.
- Landscape Forms is a supplier only and ships via common carrier. Customer is responsible for offloading and installing unless otherwise indicated above.
- Handling fees alone will apply on third party and customer pick-up orders.
- Mounting hardware is only available on a limited number of products. Please consult the installation recommendations or contact our corporate office to confirm. In the event hardware is provided, it MUST be used for proper installation.
- Refer to Care and Maintenance guidelines for more detailed information and instructions.
- All orders ship upon completion of fabrication. A one-week grace period may be available, after which storage fees will apply.
- This Agreement contains the entire understanding between the parties. All prior communications are merged into this Agreement. The terms of this Agreement shall control any conflict between documents.
- This Agreement may be signed by the parties separately and by facsimile, and together they shall be deemed one binding, original Agreement.

Page: 2 of 3

Cust #: 9YNGX  
SSR: Alex Filippini  
Rep: New York City Team

Landscape Forms Customer Service

Purchaser

Seller

landscapeforms®

# Quote

Date: 11/24/2025

LF Quote#: 0000452459

PO#:

Project: City of Mount Vernon - Litters

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Ship To: City of Mount Vernon  
ATTN: Gimeno Simmonds  
TBA  
Mount Vernon, NY 10550

Ship To Contact Phone: 914-665-2341

Ship Via: Common Carrier

F.O.B.: Destination

- Purchaser shall pay all costs and expenses paid or incurred by Landscape Forms, Inc. in collecting any amounts due for goods purchased by Purchaser, including without limitation, reasonable attorneys' fees and collection costs. Balances on invoices not paid within 30 days of date of invoice, or within an alternate period of time as determined and indicated by Landscape Forms, shall incur interest at a rate of 18% per annum. Cash discounts are not offered.
- The quoted price may include estimated tax, duties and tariffs. Actual tax, duties and tariffs shall be purchaser's responsibility and may be added to an invoice as a separate and additional charge to purchaser unless an acceptable exemption certificate is presented.
- To the extent purchaser supplies or modifies the standard specifications for any products, Landscape Forms, Inc. expressly disclaims all representations and warranties related to such products or their design whether express or implied except that the products shall be manufactured in accordance with purchaser's specifications.
- **REMITTANCE OPTIONS:** For information on paying via credit card, ACH, direct bank transfer, or wire please email us at [AR@landscapeforms.com](mailto:AR@landscapeforms.com). Please note all credit card charges will be subject to a 3% surcharge. Mail payments to:

### USD Checks

Landscape Forms, Inc.  
Dept 78073  
PO Box 78000  
Detroit, MI 48278-0073  
USA

### CAD Cheques

Landscape Forms, Inc.  
PO Box 2408  
Station A  
Toronto, Ontario M5W 2K6  
CAN

Page: 3 of 3

Cust #: 9YNGX  
SSR: Alex Filippetti  
Rep: New York City Team

*Landscape Forms Customer Service*

Purchaser

Seller

landscapeforms®



# 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 -1759

**Agenda Date:** 11/25/2025

**Agenda #:** 2.

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

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, authorizing the Issuance of an Invitation for Bids (RFB No. 11.25) for the One-Time Removal and Disposal of Construction and Demolition (C&D) Debris at the 33 Canal Street Trash Yard; be, and the same is hereby approved.

### **City Council:**

#### **AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN INVITATION FOR BIDS (RFB NO. 11.25) FOR THE ONE-TIME REMOVAL AND DISPOSAL OF CONSTRUCTION AND DEMOLITION (C&D) DEBRIS AT THE 33 CANAL STREET TRASH YARD**

**Whereas**, in correspondence dated November 10, 2025, the Commissioner of the Department of Public Works (“DPW”) formally requested authorization to issue an Invitation for Bids (RFB No. 11.25) for the one-time removal and disposal of Construction and Demolition (C&D) debris at the 33 Canal Street Trash Yard; and

**Whereas**, the Department of Public Works has reported that approximately 2,000 cubic yards of Construction and Demolition (C&D) debris has accumulated at the City’s Trash Yard located at 33 Canal Street, Mount Vernon, NY 10550; and

**Whereas**, the removal of this material is necessary to restore the site to functional capacity, support ongoing DPW operations, and ensure compliance with applicable environmental regulations; and

**Whereas**, this removal project satisfies Compliance Item #13 of the Consent Order Implementation Plan, thereby supporting the City’s continued compliance with regulatory oversight requirements; and

**Whereas**, DPW proposes to issue an Invitation for Bids (RFB No. 11.25) seeking a qualified contractor to perform a one-time project involving: (1) the removal and loading of approximately 2,000 cubic yards of mixed C&D debris with proper handling and dust-suppression measures, and (2) the transportation and disposal of said debris at NYSDEC-permitted facilities with full documentation; and

**Whereas**, the issuance of the Invitation for Bids must comply with the City’s Procurement Policy and applicable provisions of the New York State General Municipal Law; and

**Whereas**, the City Council finds it in the best interest of the City of Mount Vernon to authorize the

advertisement, posting, and solicitation of competitive bids to secure a qualified contractor at the most advantageous pricing;

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

**Section 1. Authorization to Issue Invitation for Bids.** The Department of Public Works is hereby authorized to issue Invitation for Bids (RFB No. 11.25) for the one-time removal and disposal of Construction and Demolition (C&D) debris at the 33 Canal Street Trash Yard.

**Section 2. Public Notice.** The City Clerk is hereby directed to publish and post the bid solicitation in the official newspaper(s) of record and on the City's eProcurement portal in accordance with the City's Procurement Policy and the requirements of New York State General Municipal Law.

**Section 3. Competitive Bidding Process.** The Department of Public Works is authorized to proceed with the competitive bidding process to solicit qualified contractors and to undertake all necessary actions to administer the bid process.

**Section 4. Return to City Council for Contract Award.** Upon receipt and evaluation of all responsive bids, the Department of Public Works shall return the matter to the City Council for approval and award of the contract to the lowest responsible bidder.

**Section 5. Effective Date.** This Ordinance shall take effect immediately upon adoption by the City Council.



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*

RYAN ULRICH  
*Deputy Commissioner*

November 10<sup>th</sup>, 2025

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

**Re: Authorization to Issue an Invitation for Bids (RFB No. 11.25) -- One-Time Removal and Disposal of Construction and Demolition (C&D) Debris at 33 Canal Street Trash Yard**

Dear City Council,

The Department of Public Works ("DPW") respectfully requests that the above-referenced item be placed on the agenda for consideration at the next scheduled City Council meeting.

**Project Background**

The City's Trash Yard, located at 33 Canal Street, Mount Vernon, NY 10550, currently contains approximately 2,000 cubic yards of Construction and Demolition (C&D) debris that has accumulated from various municipal operations. This stockpiled material requires removal to restore the site to functional capacity, ensure compliance with environmental regulations, and maintain operational efficiency for ongoing DPW activities.

This project also fulfills Compliance Item #13 of the Consent Order Implementation Plan, demonstrating the City's commitment to meeting regulatory obligations and maintaining good standing with oversight agencies.

**Proposed Modernization and Repair Scope**

Under the proposed IFB, the City seeks a qualified contractor to perform a one-time project involving:

- **Debris Removal** -- removal and loading of approximately 2,000 cubic yards of mixed C&D debris, with proper segregation, handling, and dust suppression measures during operations.
- **Transportation and Disposal** -- transportation of all debris to NYSDEC-permitted facilities, with complete documentation including scale tickets, manifests, and facility receipts for all loads.

**Requested Action**

The Department of Public Works respectfully requests that the Mount Vernon City Council:

1. Authorize the advertisement and posting of the attached IFB (No. 11.25) in accordance with the Procurement Policy and applicable New York State General Municipal Law requirements.
2. Direct the Procurement Manager to publicly notice the bid solicitation in the official newspaper(s) of record and on the City's eProcurement portal.
3. Approve DPW to proceed with the competitive bidding process to solicit qualified contractors for the removal and disposal of C&D debris at the 33 Canal Street Trash Yard.
4. Return the matter to Council for award of contract upon receipt and evaluation of responsive bids.

This action will allow the City to secure a qualified contractor at competitive pricing, restore the Trash Yard to full operational capacity, fulfill Consent Order Implementation Plan requirements, and ensure proper disposal of accumulated debris in compliance with all applicable environmental regulations.

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/ru

**Attachments**

1. **Invitation for Bids (IFB No. 11.25) -- outlining the scope of work, specifications, and procurement procedures.**





# 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 -1769

**Agenda Date:** 12/10/2025

**Agenda #:** 4.

**City Council:**

### **A RESOLUTION AUTHORIZING THE RE-APPOINTMENT OF BERESFORD GRANSTON AND F. ROMALL SMALLS TO THE BOARD OF ETHICS**

**WHEREAS**, Chapter 24, Section 24-7 of the Mount Vernon City Code provides that members of the Board of Ethics shall be appointed by the City Council; and

**WHEREAS**, the Board of Ethics plays a vital role in promoting transparency, accountability, and ethical conduct in municipal government; and

**WHEREAS**, Beresford Granston and F. Romall Smalls have demonstrated continued dedication, professionalism, and service as members of the Board of Ethics; and

**WHEREAS**, in accordance with the authority granted under the City Code, the City Council finds it in the best interest of the City of Mount Vernon to re-appoint Beresford Granston and F. Romall Smalls to new terms; **NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Council of the City of Mount Vernon hereby re-appoints Beresford Granston and F. Romall Smalls to the Board of Ethics for terms of two (2) years, commencing November 25, 2025, and expiring November 24, 2027, and **BE IT FURTHER**

**RESOLVED**, that this Resolution shall take effect immediately upon its adoption by the City Council.



OFFICE OF THE CITY CLERK  
ONE ROOSEVELT SQUARE NORTH  
MOUNT VERNON, NEW YORK 10550  
(914) 668-2351 \* WWW.CMVNY.COM

NICOLE BONILLA, MBA  
City Clerk

---

November 20, 2025

Re: Board of Ethics Re-Appointment – Beresford Granston & F. Romall Smalls

Honorable City Council Members,

Under chapter 24, section 24-7 of the Mount Vernon City Code, which provides for the appointment of members to the Board of Ethics by the City Council, this letter requests that the City Council enact legislation to re-appoint Beresford Granston and F. Romall Smalls for a term of two (2) years, commencing on November 25, 2025, and expiring on November 24, 2027.

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  
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**File #:** TMP -1770

**Agenda Date:** 12/10/2025

**Agenda #:** 5.

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT VERNON RE-APPOINTING CURTIS BREWINGTON AND BLAIR HOPLIGHT TO THE BOARD OF ETHICS**

**WHEREAS**, Chapter 24, Section 24-7 of the Mount Vernon City Code provides for the appointment of members to the Board of Ethics by the City Council; and

**WHEREAS**, the Board of Ethics plays a vital role in promoting transparency, accountability, and ethical conduct among public officials and employees within the City of Mount Vernon; and

**WHEREAS**, Curtis Brewington and Blair Hoplight have faithfully served on the Board of Ethics during their current terms, demonstrating integrity, professionalism, and commitment to upholding the City's ethical standards; and

**WHEREAS**, in accordance with the authority granted under the City Code, the City Council desires to re-appoint Curtis Brewington and Blair Hoplight to the Board of Ethics for new terms; and

**WHEREAS**, the proposed re-appointments will take effect following the expiration of their current terms and will ensure continuity of service and stability within the Board of Ethics; **NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Council of the City of Mount Vernon hereby re-appoints Curtis Brewington and Blair Hoplight to the Board of Ethics **for terms of** two (2) years, commencing on December 26, 2025, and expiring on December 25, 2027; and **BE IT FURTHER**

**RESOLVED**, that this Resolution shall take effect immediately upon its adoption by the City Council.



**OFFICE OF THE CITY CLERK**  
ONE ROOSEVELT SQUARE NORTH  
MOUNT VERNON, NEW YORK 10550  
(914) 668-2351 \* WWW.CMVNY.COM

**NICOLE BONILLA, MBA**  
City Clerk

---

November 20, 2025

Re: Board of Ethics Re-Appointment – Curtis Brewington & Blair Hoplight

Honorable City Council Members,

Under chapter 24, section 24-7 of the Mount Vernon City Code, which provides for the appointment of members to the Board of Ethics by the City Council, this letter requests that the City Council enact legislation to re-appoint Curtis Brewington and Blair Hoplight (after their current terms expire) for a term of two (2) years, commencing on December 26, 2025, and expiring on December 25, 2027.

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  
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**File #:** TMP -1744

**Agenda Date:** 11/25/2025

**Agenda #:** 3.

### Board of Estimate & Contract:

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, retroactively authorizing the Mayor to enter into an Agreement with the Westchester Board of Legislators to Provide Funding for the 2025 Summer Basketball Camp and Amending the City Budget Accordingly - (\$28,837.00 to support the 2025 Summer Basketball Camp administered by the Department of Recreation. The Comptroller is authorized and directed to:

1. Deposit received funds into revenue account code A2229.15; and
2. Appropriate said funds into the following expense codes:
  - o A7310.104 - Youth Program Salary (Part-Time)
  - o A7310.458 - Sports, Equipment, Guest Speakers, and Supplies

; be, and the same is hereby approved.

### City Council:

#### **AN ORDINANCE RETROACTIVELY AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE WESTCHESTER COUNTY BOARD OF LEGISLATORS TO PROVIDE FUNDING FOR THE 2025 SUMMER BASKETBALL CAMP AND AMENDING THE CITY BUDGET ACCORDINGLY**

**Whereas**, in correspondence dated November 6, 2025, the Deputy Commissioner of the Department of Recreation formally requested authorization for Mayor Shawyn Patterson-Howard to retroactively enter into an agreement with the Westchester County Board of Legislators for the receipt of funds in the amount of \$28,837.00 to support the 2025 Summer Basketball Camp administered by the Department of Recreation; and

**Whereas**, the City of Mount Vernon seeks to continue providing high-quality recreational and youth engagement opportunities during the summer months; and

**Whereas**, the Westchester County Board of Legislators has offered funding to support a 2025 Summer Basketball Camp operated by the City's Department of Recreation; and

**Whereas**, under this program, the City will receive Twenty-Eight Thousand Eight Hundred Thirty-

Seven Dollars (\$28,837.00) for the operation of the 2025 Summer Basketball Camp, scheduled to take place from July 1, 2025, through August 31, 2025; and

**Whereas**, these funds are to be deposited into revenue account code A2229.15 (Westchester County funded recreation grants) and appropriated into expense codes A7310.104 (Youth Program Salary - Part-Time) and A7310.458 (Sports, Equipment, Guest Speakers, and Supplies); and

**Whereas**, the City Council finds it to be in the best interest of the residents of the City of Mount Vernon to authorize acceptance of the funding and execution of the agreement necessary to implement this program;

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

**Section 1. Authorization to Enter into Agreement.** The Mayor is hereby authorized to retroactively enter into an agreement with the Westchester County Board of Legislators for the receipt of funds in the amount of \$28,837.00 to support the 2025 Summer Basketball Camp administered by the Department of Recreation.

**Section 2. Term of Program.** The program shall operate from July 1, 2025, through August 31, 2025, in accordance with the terms of the agreement and applicable City policies.

**Section 3. Budget Amendment.** The Comptroller is authorized and directed to:

1. Deposit received funds into revenue account code A2229.15; and
2. Appropriate said funds into the following expense codes:
  - A7310.104 - Youth Program Salary (Part-Time)
  - A7310.458 - Sports, Equipment, Guest Speakers, and Supplies

**Section 4. Severability.** If any clause, sentence, paragraph, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof.

**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, 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*

November 6, 2025

Honorable Members of the City Council  
Through the Office of the Mayor  
City Hall  
Mount Vernon, NY 10550

**RE: 2025 Summer Basketball Camp**

Dear Honorable Members:

This letter comes to request that the City Council retroactively enact legislation that would enable the Mayor to enter into agreement with the Westchester County Board of Legislators to provide a Summer Basketball program.

Under this program, the City's Department of Recreation will receive \$28,837.00 for the operation of the Summer Basketball Camp that takes place July 1, 2025, through August 31, 2025.

These funds are to be deposited into revenue account code A2229.15 (Westchester County funded recreation grants) to be appropriated into expense code A7310.104 (youth program salary – part-time) and to A7310.458 (sports, equipment, guest speakers and supplies)

Thank you for your cooperation in this matter.

Sincerely,

André G. Early, Deputy Commissioner  
Department of Recreation

cc: Commissioner, Department of Recreation  
Office of the Mayor  
Office of the Comptroller  
Corporation Council  
File



# City of Mount Vernon, New York

## Staff Report

1 ROOSEVELT SQ. RM.  
104  
CITY HALL, MOUNT  
VERNON, NEW YORK  
10550  
& VIA  
FACEBOOK.  
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**File #:** TMP -1745

**Agenda Date:** 11/25/2025

**Agenda #:** 7.

### City Council:

### **AN ORDINANCE AMENDING CHAPTER 186, “PARKS AND PLAYGROUNDS,” § 186-17, “TOT LOTS,” OF THE CODE OF THE CITY OF MOUNT VERNON**

**Whereas**, in correspondence dated November 7, 2025, the Commissioner of the Department of Recreation formally requested authorization to amend Chapter 186, “Parks and Playgrounds,” § 186-17 of the Code of the City of Mount Vernon is hereby amended and restated to read as shown below; and

**Whereas**, the City of Mount Vernon maintains numerous playgrounds throughout the community that serve as dedicated recreational spaces for young children and their families; and

**Whereas**, Chapter 186 of the Code of the City of Mount Vernon governs the use, management, and protection of City parks and playgrounds, including provisions specific to “tot lots”; and

**Whereas**, § 186-17 currently identifies certain playgrounds as tot lots but does not comprehensively list all City playgrounds intended exclusively for use by children, accompanied by adults responsible for their care and supervision; and

**Whereas**, the Department of Recreation and other City agencies have recommended updating § 186-17 to include the full list of designated tot lots to inform the public, promote child safety, and clarify areas where adult congregation is prohibited; and

**Whereas**, such an amendment is necessary to provide the Mount Vernon Police Department with a clear legal basis to enforce the rules and regulations governing tot lot areas, including the issuance of summonses and other enforcement actions for violations.

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

Section 1. **Amendment to Chapter 186, § 186-17 (“Tot Lots”).** Chapter 186, “Parks and Playgrounds,” § 186-17 of the Code of the City of Mount Vernon is hereby amended and restated to read as follows:

#### **§ 186-17. Tot Lots.**

A. The following playgrounds are hereby designated as tot lots:

1. Grove Street Playground (Grove Street);
2. Lorraine Avenue Playground (Lorraine Avenue and Claremont Place);



3. Sophie J. Mee Playground (South 3rd Avenue and 4th Street);
4. Adams Street Playground (Adams Street and South Fulton Avenue);
5. Ben Gordon Playground (South 8th Avenue and 7th Street);
6. Brush Park (South 3rd Avenue and 6th Street);
7. Eddie Williams Playground (South 7th Avenue and 4th Street);
8. Fleetwood Playground (Broad Street);
9. Nichols Playground (High Street);
10. Hartley Park/Playground (North 3rd Avenue and Gramatan Avenue);
11. Howard Street Playground (Howard Street);
12. Leo Mann Playground (Sheridan Avenue);
13. Madison Avenue Playground (Madison Avenue and Franklin Avenue);
14. Purdy Playground (South 9th Avenue and West 2nd Street).

B. No person 18 years of age or older shall remain in or enter a children's playground area designated as a tot lot unless actually engaged in the care, custody, or supervision of a person younger than 12 years of age who is using the facilities in the area.

**Section 2. Purpose.** The purpose of this amendment is to provide clear public notice that tot lots are restricted for use by young children accompanied by responsible adults, and to establish an enforceable legal framework enabling the Mount Vernon Police Department to issue summonses or take other lawful action against individuals who violate the regulations applicable to tot lot areas.

**Section 3. Severability.** If any clause, sentence, paragraph, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof.

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



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*

November 7, 2025

Honorable Members of the City Council  
Through the Office of the Mayor  
City Hall  
Mount Vernon, NY 10550

**RE: Notification of Revised Tot Lot Recognition**

Dear Honorable City Council Members:

This letter requests that the City Council pass an amendment to the following subsection found in the Mount Vernon City Code: Ch 186 Parks and Playgrounds; § 186-17 Tot lots as follows:

**"A. The following playgrounds are hereby designated as tot lots:**

- (1) Grove Street Playground (Grove Street);**
- (2) Lorraine Avenue Playground (Lorraine Avenue and Claremont Place);**
- (3) Sophie J. Mee Playground (South 3rd Avenue and 4th Street);**
- (4) Adams Street Playground (Adam Street and South Fulton Avenue);**
- (5) Ben Gordon Playground (South 8th Avenue and 7th Street);**
- (6) Brush Park (South 3rd Avenue and 6th Street);**
- (7) Eddie Williams Playground (South 7th Avenue and 4th Street);**
- (8) Fleetwood Playground (Broad Street);**
- (9) Nichols Playground (High Street);**
- (10) Hartley Park/Playground (North 3rd Avenue and Gramatan Avenue);**
- (11) Howard Street Playground (Howard Street);**
- (12) Leo Mann Playground (Sheridan Avenue);**
- (13) Madison Avenue Playground (Madison Avenue and Franklin Avenue);**
- (14) Purdy Playground (South 9th Avenue and West 2nd Street);**



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*

**B. No person 18 years or older shall remain in or enter a children's playground area designated as a tot lot unless actually engaged in the care, custody, or supervision of a person younger than 12 years of age who is using the facilities in the area. "**

The purpose of adding the names of all the Tot Lots is to inform the public that these areas are not intended for the congregation of adults but are exclusively for the use of children accompanied by adults (over the age of 18). Additionally, it is to provide a legal basis for MVPD to enforce summons and legal charges against anyone who violates the rules and regulations stated in the charter.

Sincerely,

Kathleen Walker-Pinckney  
Commissioner

cc: Office of the Mayor  
Office of the Comptroller  
Corporation Council  
File

**§ 186-17. Tot lots. [Added 9-9-2009, approved 9-10-2009]**

- A. The following playgrounds are hereby designated as tot lots:
- (1) Grove Street Playground;
  - (2) Lorraine Avenue Playground (Lorraine Avenue and Claremont Place);
  - (3) Sophie J. Mee Playground (South 3rd Avenue and 4th Street);
  - (4) Old 7th Avenue Playground (7th Avenue between 2nd and 4th Street);
  - (5) Purdy Park (South 9th Avenue and 2nd Street).
- B. No person 18 years or older shall remain in or enter a children's playground area designated as a tot lot unless actually engaged in the care, custody or supervision of a person younger than 12 years of age who is using the facilities in the area.



# 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 -1756

**Agenda Date:** 11/25/2025

**Agenda #:** 4.

### Board of Estimate & Contract:

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, authorizing Budget Line Transfers Within the Department of Buildings, as follows:

From:	Amount:	To:
A2555 - Building Permit Fees	\$20,000	A1289.1 - Electrical Permits
	\$70,000	A1560 - Inspections (Elevator)
	\$43,000	A1560.1 - Absentee Landlord Program
	\$116,000	A1560.2 - Multiple Dwelling Inspections
	\$160,000	A2189.1 - Building Department Fees

; be, and the same is hereby approved.

### City Council:

#### AN ORDINANCE AUTHORIZING BUDGET LINE TRANSFERS WITHIN THE DEPARTMENT OF BUILDINGS

**Whereas**, in correspondence dated November 14, 2025, the Commissioner of the Department of Buildings formally requested authorization for the Comptroller to execute the necessary budget line transfers shown below on behalf of the Department of Buildings; and

**Whereas**, the Department of Buildings has identified current negative balances within several revenue and operational budget lines; and

**Whereas**, these transfers are necessary to support ongoing departmental functions, ensure compliance with municipal requirements, and maintain the City's overall fiscal stability; and

**Whereas**, the City Council finds it to be in the best interest of the City of Mount Vernon to authorize the reallocation of funds to meet the Department of Buildings' current financial needs;

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

**Section 1. Authorization of Budget Transfers.** The City Council hereby authorizes the

following budget line transfers for the Department of Buildings:

From:	Amount:	To:
A2555 - Building Permit Fees	\$20,000	A1289.1 - Electrical Permits
	\$70,000	A1560 - Inspections (Elevator)
	\$43,000	A1560.1 - Absentee Landlord Program
	\$116,000	A1560.2 - Multiple Dwelling Inspections
	\$160,000	A2189.1 - Building Department Fees

**Section 2. Purpose.** These transfers shall be used exclusively to offset current negative balances and to support the Department of Buildings' operational, inspection, and administrative needs.

**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.



**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  
 Website: www.cmvny.com

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

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

**Dawn Asbury**  
 2nd Deputy Commissioner

November 14, 2025

Honorable City Council  
 One Roosevelt Square  
 Mount Vernon, New York 10550  
*(Through the Office of the Mayor)*

Re: Transfer of Funds

Dear Honorable City Council Members:

The following department budget line transfers are necessary to cover current negative balances for the Department of Buildings. These transfers are necessary to support the financial needs of the Department of Buildings and the needs of the city.

FROM	AMOUNT	TO	AMOUNT
A 2555 Building Building Permit	\$20,000	A 1289.1 Electrical Permits	\$20,000
	\$70,000	A 1560 Inspections (Elevator)	\$70,000
	\$43,000	A 1560.1 Absentee Landlord	\$43,000
	\$116,000	A 1560.2 Multiple Dwelling Inspections	\$116,000
	\$160,000	A 2189.1 Building Dept. Fees	\$160,000

If this meets with the approval of your honorable body, kindly have the necessary legislation enacted to transfer funds.

Sincerely,

Commissioner

cc: Comptroller's Office



# 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 -1757

**Agenda Date:** 11/25/2025

**Agenda #:** 5.

### Board of Estimate & Contract:

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, authorizing the Establishment of a List of Qualified Vendors for Third-Party Inspection Services for the Department of Buildings, initially consisting of:

1. LaBella Associates
2. Ettinger Engineering Associates

#### Fees:

A. The Department of Buildings is authorized to continue collecting an initial inspection fee of \$150.00, comparable to neighboring jurisdictions, to support the administrative and oversight functions associated with third-party inspections.

B. Fees charged by third-party vendors for their services shall be set independently by the vendors and paid directly by the property owners.

; be, and the same is hereby approved.

### City Council:

#### **AN ORDINANCE TO ESTABLISH A LIST OF QUALIFIED VENDORS FOR THIRD-PARTY INSPECTION SERVICES FOR THE DEPARTMENT OF BUILDINGS**

**Whereas**, in correspondence dated November 24, 2025, the Commissioner of the Buildings Department formally requested authorization for the Department of Buildings to establish and maintain a list of qualified third-party inspection vendors for use by property owners and constituents seeking specialized or general code inspections and related services; and

**Whereas**, the Department of Buildings is responsible for ensuring compliance with the New York State 2020 Uniform Fire Prevention and Building Code, the Energy Code, and all applicable City of Mount Vernon ordinances; and

**Whereas**, property owners and constituents often require specialized or general technical inspections, consultations, report preparation services, and other construction-related services to ensure compliance with state and local codes; and

**Whereas**, the Department of Buildings issued Request for Qualifications (RFQ) #005 - DOB Third-Party Inspection Services on August 29, 2025, seeking qualified vendors capable of providing a



broad range of third-party inspection and construction-related services; and

**Whereas**, two responses were received to RFQ #005, from LaBella Associates and Ettinger Engineering Associates; and

**Whereas**, each submission was evaluated for responsiveness, responsibility, and pricing, including completeness, required forms, acknowledgments, professional experience, capacity, references, and compliance with applicable insurance and prevailing wage requirements; and

**Whereas**, the Department of Buildings has determined that LaBella Associates and Ettinger Engineering Associates are responsible, qualified vendors capable of performing the inspections and related services outlined in RFQ #005; and

**Whereas**, the use of such third-party inspectors will be fee neutral or fee positive, as property owners will pay vendors directly and the Department of Buildings will collect its standard initial inspection fee of \$150.00, similar to the practices of neighboring municipalities; and

**Whereas**, establishing an approved list of qualified vendors will expand inspection capacity, assist property owners, and support code compliance without creating a financial burden on the City;

**NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Mount Vernon, New York, as follows:**

**Section 1. Purpose.** The purpose of this Ordinance is to authorize the Department of Buildings to establish and maintain a list of qualified third-party inspection vendors for use by property owners and constituents seeking specialized or general code inspections and related services.

**Section 2. Authorization to Establish Qualified Vendor List.** The Department of Buildings is hereby authorized to formally establish a list of qualified vendors, initially consisting of:

3. LaBella Associates
4. Ettinger Engineering Associates

These vendors have been evaluated and determined to be qualified in accordance with the criteria set forth in RFQ #005.

**Section 3. Use of Third-Party Vendors.**

A. The approved vendor list shall be made available to property owners and constituents solely as an optional resource for obtaining third-party inspection services.

B. The City shall incur no cost for services provided by these vendors; all payments shall be made directly by property owners to the selected vendor.

C. The Department of Buildings shall maintain oversight of all inspections conducted by third-party vendors to ensure compliance with applicable laws and standards.

**Section 4. Fees.**

C. The Department of Buildings is authorized to continue collecting an initial inspection fee of \$150.00, comparable to neighboring jurisdictions, to support the administrative and oversight functions associated with third-party inspections.

D. Fees charged by third-party vendors for their services shall be set independently by the vendors and paid directly by the property owners.

**Section 5. Amendments to the Vendor List.** The Department of Buildings may update, expand, or modify the list of qualified vendors as additional RFQs are issued or as future evaluations deem necessary. All such revisions shall be reported to the City Council for acknowledgment.

**Section 6. Severability.** If any clause, sentence, paragraph, or provision of this Ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect the remainder of this Ordinance.

**Section 7. Effective Date.** This Ordinance shall take effect immediately upon passage and 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

November 24, 2025

City Hall  
1 Roosevelt Square  
Mount Vernon, Ny 10550

Re: To Establish a list of qualified vendors for third-party inspections

To the Honorable Council Members:

This letter is to request the City Council's approval for the establishment of a list of qualified vendors capable of performing a broad range of technical inspections and other construction-related services in accordance with the New York State 2020 Uniform Fire Prevention and Building Code, the Energy Code, and applicable city ordinances. This list is for the sole use of property owners and/or constituents (no cost to the city; fees are paid directly to the vendor by the property owners), as an option of utilizing third-party vendors to assist with specialized and general code inspections (under the Department of Buildings oversight), consultations, report preparation services, and other construction-related services as needed.

RFQ #005 – DOB Third-Party Inspection Services for the Buildings Department was released on August 29, 2025. Two submissions were received.

1. LaBella Associates
2. Ettinger Engineering Associates

Each submission was evaluated for responsiveness (completeness, required forms, and acknowledgments), responsibility (experience, capacity, references, and compliance with prevailing wage and insurance requirements), and pricing was also reviewed.

This approach is designed to be fee neutral or fee positive, ensuring that any fees collected will cover the costs of the third-party inspections without negatively impacting the Department's budget.

Currently, most neighboring cities and towns utilize outside consultants for specialized inspections such as electrical work. In line with these practices, the Buildings Department collects an initial inspection fee of \$150.00, consistent with comparable jurisdictions, to support the expanded inspection capacity while maintaining fiscal responsibility.

It is the determination that **Labella Associates** and **Ettinger Engineering Associates** are found to be responsible, qualified vendors capable of performing the qualifications specified in the RFQ.

I respectfully request the City Council's approval to allow the Department of Buildings to formalize this vetted list for our city's property owners/constituents to utilize if they so choose.

Thank you for your time and attention. I am available to discuss this request further and provide any additional information the Council might require.

Respectfully, Submitted,

A handwritten signature in blue ink, appearing to read "Patrick G. Holder", with a long horizontal flourish extending to the right.

Patrick G. Holder  
Commissioner of Buildings

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



# 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 -1738

**Agenda Date:** 11/25/2025

**Agenda #:** 6.

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

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, Acceptance of a \$95,000 Grant for the Purchase of a Replacement Compressor for the Fire Department - (upon acceptance of the grant, the Comptroller is directed to record the funds in Revenue Code A3389.9 (NYS Other) and to transfer said funds to appropriation code A3410.203 (Equipment) for the acquisition and installation of the new compressor; be, and the same is hereby approved.

### **City Council:**

#### **AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A \$95,000 GRANT FOR THE PURCHASE OF A REPLACEMENT COMPRESSOR FOR THE FIRE DEPARTMENT**

**Whereas**, in correspondence dated October 31, 2025, the Fire Commissioner formally requested authorization for Mayor Shawyn Patterson-Howard to accept the grant award in the amount of \$95,000 from New York State Assemblyman Gary Pretlow for the replacement of the Eagle Air compressor at Fire Station 3; and

**Whereas**, on September 30, 2025, New York State Assemblyman Gary Pretlow awarded the City of Mount Vernon a grant in the amount of Ninety-Five Thousand Dollars (\$95,000) for the benefit of the Mount Vernon Fire Department; and

**Whereas**, the Mount Vernon Fire Department has identified the need to replace the Eagle Air compressor located at Fire Station 3, which is essential for refilling Self-Contained Breathing Apparatus (SCBA) air cylinders that enable firefighters to safely operate in smoke-filled and hazardous conditions; and

**Whereas**, acceptance of this grant award will allow the City to acquire a new compressor necessary to support firefighter safety and operational readiness; and

**Whereas**, the funds received from this grant shall be recorded in revenue code A3389.9 (NYS Other) and subsequently transferred to budget code A3410.203 (Equipment) for the purchase and installation of the compressor; and

**Whereas**, the Mayor of the City of Mount Vernon must be authorized to accept said award and

execute any documents necessary to effectuate the use of the funds.

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

**Section 1. Authorization to Accept Grant.** The City Council hereby authorizes Mayor Shawyn Patterson-Howard to accept the grant award in the amount of \$95,000 from New York State Assemblyman Gary Pretlow for the replacement of the Eagle Air compressor at Fire Station 3.

**Section 2. Accounting for Funds.** Upon acceptance of the grant, the Comptroller is directed to record the funds in Revenue Code A3389.9 (NYS Other) and to transfer said funds to appropriation code A3410.203 (Equipment) for the acquisition and installation of the new compressor.

**Section 3. Authorization for Necessary Actions.** The Mayor, Comptroller, and Fire Commissioner are hereby authorized to execute any documents, contracts, or agreements necessary to carry out the purpose of this ordinance.

**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.  
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*

October 31, 2025

*Through the Office of the Mayor*

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

Re: Acceptance of Grant - \$95,000 Compressor for the Fire Department

Dear Honorable Council Members,

The Fire Department respectfully requests that the Mount Vernon City Council enact legislation authorizing Mayor Shawyn Patterson-Howard to accept a grant award to the City of Mount Vernon by New York State Assemblyman Gary Pretlow on September 30, 2025.

This award (Award letter attached) will be used to replace the Eagle Air compressor at Fire Station 3. This compressor enables firefighters to refill their SCBA air cylinders, allowing them to operate effectively in smoke and other hazardous conditions.

Upon acceptance of this award, funds are to be accounted for in revenue code A3389.9 (NYS other) and then transferred to code A3410.203 (Equipment) for use.

Thank you in advance for your assistance in this matter.

Respectfully:

*Kevin B. Holt*

Kevin B. Holt  
Fire Commissioner

Cc: Comptroller's Office, Grant Department, Contract, File

*"The Jewel of Westchester"*

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL  
GOVERNOR

WALTER T. MOSLEY  
SECRETARY OF STATE

November 3, 2025

**RE: Contract #C1003495**

Dear: Steve Lawrence

The State of New York has awarded your organization \$95,000 for the purpose described in the enclosed Legislative Initiative Form ("LIF") that will be administered by the Department of State.

A copy of the required contract forms that must be completed are attached, along with an instructional document. Please review the instructional document and complete the attached contract package in its entirety. The completed contract package should be submitted to the Department of State's ("DOS") Fiscal shared mailbox at: [dos.sm.Fiscal.CAU@dos.ny.gov](mailto:dos.sm.Fiscal.CAU@dos.ny.gov). DOS will review your submission and reach out to you if any additional information is required to move forward with contract execution.

After fully executed, a copy of the final contract will be returned to you. Reimbursement of eligible costs can only be made after the contract is fully executed. Eligible costs must be incurred within the approved contract terms and must be consistent with the executed contract.

If there is a change in the purpose of the initiative, please contact your legislative sponsor immediately to request the appropriate revision to your awarded LIF.

If you have any questions or need assistance in completing the required contract forms, please contact the Contract Administration Unit at [dos.sm.Fiscal.CAU@dos.ny.gov](mailto:dos.sm.Fiscal.CAU@dos.ny.gov) or by phone at 518-474-2754. Please include the contract number referenced above in your request to expedite processing of your inquiry.

Sincerely,



Jennifer L Gallo  
Director of Financial Administration  
Division of Fiscal Management


Enclosures



**Department  
of State**



**STATE OF NEW YORK CONTRACT FOR GRANTS FACE PAGE**

<p>STATE AGENCY (Name &amp; Address):  NYS DEPARTMENT OF STATE  ONE COMMERCE PLAZA  99 WASHINGTON AVENUE  ALBANY, NY 12231</p>	<p>BUSINESS UNIT/DEPT. ID: DOS01/3800000</p> <p>CONTRACT NUMBER: C1003495</p> <p>CONTRACT TYPE (select one):  <input type="checkbox"/> Multi-Year Agreement  <input type="checkbox"/> Simplified Renewal Agreement  <input checked="" type="checkbox"/> Fixed Term Agreement</p>
<p>CONTRACTOR NAME:  City of Mount Vernon</p>	<p>TRANSACTION TYPE:  <input checked="" type="checkbox"/> New  <input type="checkbox"/> Renewal (list periods):  <input type="checkbox"/> Amendment (list periods):</p>
<p>CONTRACTOR IDENTIFICATION NUMBERS:   NYS Vendor ID Number: 1000001499  Federal Tax ID Number:</p>	<p>PROJECT NAME:   Compressor for the Mt. Vernon Fire Dept.   ASSISTANCE LISTINGS (formerly CFDA)  NUMBER (ALN) (Federally Funded Grants Only):</p>
<p>CONTRACTOR PRIMARY MAILING ADDRESS:   City Hall, One Roosevelt Square,  Mount Vernon, NY 10550</p> <p>CONTRACTOR PAYMENT ADDRESS:  <input checked="" type="checkbox"/> Check if same as primary mailing address</p> <p>CONTRACT MAILING ADDRESS:  <input checked="" type="checkbox"/> Check if same as primary mailing address</p> <p>CONTRACTOR PRIMARY E-MAIL ADDRESS:   Slawrence@Mountvernonny.gov</p>	<p>CONTRACTOR STATUS:   <input type="checkbox"/> For Profit  <input type="checkbox"/> Municipality  <input type="checkbox"/> Tribal Nation  <input type="checkbox"/> Individual  <input checked="" type="checkbox"/> Not-for-Profit</p> <p>Charities Registration Number: N/A</p> <p>Exemption Status/Code:   <input type="checkbox"/> Sectarian Entity</p>

C1003495

Contract Number: # \_\_\_\_\_

# STATE OF NEW YORK CONTRACT FOR GRANTS FACE PAGE

<p><b>CURRENT CONTRACT TERM:</b></p> <p>From: 4/1/2023                      To: 3/31/2026</p> <p><b>AMENDED TERM:</b></p> <p>From:                                      To:</p>	<p><b>CONTRACT FUNDING AMOUNT</b>  <i>(Fixed Term - enter current period amount; Simplified Renewal - enter cumulative amount to date; Multi-year - enter total projected amount of the contract):</i></p> <p>CURRENT:     \$ 95,000.00</p> <p>AMENDED:</p> <p>FUNDING SOURCE(S)</p> <p><input checked="" type="checkbox"/> State  <input type="checkbox"/> Federal  <input type="checkbox"/> Other</p>
--	--

**ATTACHMENTS INCLUDED AS PART OF THIS AGREEMENT (select all that apply):**

Appendix A

Attachment A:	<input checked="" type="checkbox"/> A-1 Agency Specific Terms and Conditions <input checked="" type="checkbox"/> A-2 Program Specific Terms and Conditions <input type="checkbox"/> A-3 Federally Funded Grants and Requirements Mandated by Federal Laws
Attachment B:	<input checked="" type="checkbox"/> B-1 Expenditure Based Budget <input type="checkbox"/> B-2 Performance Based Budget <input type="checkbox"/> B-3 Capital Budget <input type="checkbox"/> B-4 Net Deficit Budget <input type="checkbox"/> B-1(A) Expenditure Based Budget (Amendment) <input type="checkbox"/> B-2(A) Performance Based Budget (Amendment) <input type="checkbox"/> B-3(A) Capital Budget (Amendment) <input type="checkbox"/> B-4(A) Net Deficit Budget (Amendment)

Attachment C: Work Plan

Attachment D: Payment and Reporting

Other:

IN WITNESS THEREOF, the parties hereto have executed or approved this Contract for Grants on the dates below their signatures.

CONTRACTOR:

By: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

Title: \_\_\_\_\_

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

STATE AGENCY:

NYS Department of State,  
1 Commerce Plaza  
99 Washington Avenue  
Albany, NY 12231-0001

By: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

Title: \_\_\_\_\_

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

STATE OF NEW YORK

County of \_\_\_\_\_

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known, who being by me duly sworn, did depose and say that he/she resides at \_\_\_\_\_, that he/she is the \_\_\_\_\_ of the \_\_\_\_\_, the contractor described herein which executed the foregoing instrument; and that he/she signed his/her name thereto as authorized by the contractor named on the face page of this Contract for Grants.

(Notary) \_\_\_\_\_

ATTORNEY GENERAL'S SIGNATURE

\_\_\_\_\_

\_\_\_\_\_  
Printed Name

Title: \_\_\_\_\_

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

STATE COMPTROLLER'S SIGNATURE

\_\_\_\_\_

\_\_\_\_\_  
Printed Name

Title: \_\_\_\_\_

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

**C1003495**

## STATE OF NEW YORK CONTRACT FOR GRANTS

This State of New York Contract for Grants, including all attachments and appendices (hereinafter referred to as “Contract” or “Agreement”), is hereby made by and between the State of New York acting by and through the applicable State Agency (State or Agency) and the public or private entity (Contractor) identified on the face page hereof (Face Page).

### WITNESSETH:

**WHEREAS**, the State has the authority to regulate and provide funding for the operation of a program or performance of a service; and desires to contract with a responsive and responsible Contractor possessing the necessary resources to provide such services or work; and

**WHEREAS**, the Contractor is ready, willing, and able to provide such services or work and possesses or can make available all necessary qualified personnel, licenses, facilities and expertise to perform or have performed the services or work, as applicable, required pursuant to and in compliance with the terms of the Contract, specifications outlined in the grant solicitation, resulting award, and other associated documents comprising the Agreement.

**NOW THEREFORE**, in consideration of the promises, responsibilities, and covenants herein, the State and the Contractor agree to as follows:

### STANDARD TERMS AND CONDITIONS

#### I. GENERAL PROVISIONS

**A. Order of Precedence:** In the event of a conflict among (i) the terms of the Contract or (ii) between the terms of the Contract and the original request for proposal, solicitation document, the program application or other documentation that was completed and executed by the Contractor in connection with a grant award, the order of precedence is as follows:

1. Appendix A – Standard Clauses for New York State Contracts
2. Contract for Grants Standard Terms and Conditions
3. Modifications to the Face Page
4. Modifications to Attachment A-2: Program Specific Terms and Conditions; Attachment A-3: Federally Funded Grants and Requirements Mandated by Federal Laws (modifications not required by the Federal government)<sup>1</sup>, Attachment B: Budget, Attachment C: Work Plan, and Attachment D: Payment and Reporting
5. The Face Page

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<sup>1</sup> For modifications required by the Federal government see Section I(M).

6. Attachment A-2: Program Specific Terms and Conditions, Attachment A-3: Federally Funded Grants and Requirements Mandated by Federal Laws, Attachment B: Budget, Attachment C: Work Plan; and Attachment D: Payment and Reporting
7. Modifications to Attachment A-1: Agency Specific Terms and Conditions
8. Attachment A-1: Agency Specific Terms and Conditions
9. Other attachments, including, but not limited to, the request for proposal or program application, if incorporated by reference on the Face Page

The documents above, collectively, comprise the entire Agreement and govern the program for the entirety of the term of the Contract and any resulting renewals.

**B. Funding:** Funding for the term of the Contract shall not exceed the amount specified as “Contract Funding Amount” on the Face Page or as subsequently revised to reflect an approved renewal or cost amendment. Funding for the initial and subsequent periods of the Contract shall not exceed the applicable amounts specified in the applicable Attachment B form (Budget).

**C. Contract Performance:** The Contractor shall perform all services or work, as applicable, and comply with all provisions of the Contract to the satisfaction of the State. The Contractor shall provide services or work, as applicable, and meet the program objectives summarized in Attachment C (Work Plan) in accordance with the provisions of the Contract, relevant laws, rules and regulations, administrative, program and fiscal guidelines, and where applicable, operating certificate for facilities or licenses for an activity or program.

**D. Modifications:** Any modifications to this Agreement, including any budgetary changes, must be mutually agreed to in writing by both parties and be reflected on the Face Page where such terms are modified. Modifications may be subject to the approval of the AG and OSC in accordance with Appendix A, Section 3, Comptroller's Approval. A modification that would result in a transfer of funds among program activities or budget cost categories that does not affect the amount, consideration, scope or other terms of such Contract may be subject to the approval of the AG and OSC where the amount of such modification is, as a proportion of the total value of the Contract, equal to or greater than ten percent for contracts of five million dollars or less, or five percent for contracts of more than five million dollars. Modifications that are not subject to the AG and OSC approval shall be processed in accordance with the guidelines stated in the Contract.

**E. Severability:** Any provision of the Contract that is held to be invalid, illegal or unenforceable in any respect by a court of competent jurisdiction, shall be ineffective only to the extent of such invalidity, illegality or unenforceability, without affecting in any way the remaining provisions hereof; provided, however, that the parties to the Contract shall attempt in good faith to reform the Contract in a manner consistent with the intent of any such ineffective provision for the purpose of carrying out such intent. If any provision is held void, invalid or unenforceable with respect to particular circumstances, it shall nevertheless remain in full force and effect in all other circumstances.

**F. Interpretation:** The headings in the Contract are inserted for convenience and reference only and do not modify or restrict any of the provisions herein. All personal pronouns used herein shall be considered gender neutral. The Contract has been made under the laws of the State of New York, and the venue for

resolving any disputes hereunder shall be in a court of competent jurisdiction of the State of New York.

**G. Notice:** All Notices under this Contract, including termination notices, shall be made in writing and directed to the representatives identified herein, or their designees and shall be transmitted by: a) certified or registered United States mail, return receipt requested; b) facsimile transmission; c) personal delivery; d) expedited delivery service; and/or e) e-mail. Notice shall be deemed to have been given either at the time of personal delivery or, in the case of expedited delivery service or certified or registered United States mail, as of the date of first attempted delivery at the address and in the manner provided herein, or in the case of facsimile transmission or e-mail, upon receipt.

The parties may, on written notice, designate other individuals as their representatives. Such representatives shall request, oversee, supervise, and accept performance of services provided by the Contractor and shall receive any required submissions. Whenever an action is to be taken, or approval for services given by the Agency, such action or approval may be given only by the representatives designated pursuant to this Section.

**H. Indemnification:** The Contractor shall be solely responsible and answerable in damages for all accidents, incidents, and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the Contractor or its subcontractors pursuant to this Contract. The Contractor shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages, and cost of every nature arising out of the provision of services pursuant to the Contract.

**I. Legal Action:** No litigation or regulatory action shall be brought against the State of New York, the State Agency, or against any county or other local government entity with funds provided under the Contract. The term “litigation” shall include commencing or threatening to commence a lawsuit, joining, or threatening to join as a party to ongoing litigation, or requesting any relief from the State of New York, the State Agency, or any county, or other local government entity. The term “regulatory action” shall include commencing or threatening to commence a regulatory proceeding or requesting any regulatory relief from the State of New York, the State Agency, or any county, or other local government entity.

**J. Partisan Political Activity and Lobbying:** Funds provided pursuant to the Contract shall not be used for any partisan political activity, or for activities that attempt to influence legislation or election or defeat of any candidate for public office.

**K. Reporting Fraud and Abuse:** Contractor acknowledges that it has reviewed information on how to prevent, detect, and report fraud, waste, and abuse of public funds, including information about the Federal False Claims Act, the New York State False Claims Act, and whistleblower protections and will comply with requirements therein.

**L. Reporting Risks to Performance:** If any specific event, conjunction of circumstances, or any occurrence involving the staff, volunteers, directors, officers, subcontractors, or program participants of the Contractor threatens the successful completion of this project, in whole or in part, the Contractor agrees to notify the State Agency within three (3) calendar days of becoming aware of the occurrence describing the occurrence and the risk it poses to performance under the Contract. The Contractor’s notice shall include a written description of the event and a recommended solution. Such events may include, but not be limited to, death or serious injury, an arrest or possible criminal activity.

**M. Federally Funded Grants and Requirements Mandated by Federal Laws:** All the Specific Federal

C1003495

requirements that are applicable to the Contract are identified in Attachment A-3 (Federally Funded Grants and Requirements Mandated by Federal Laws), attached hereto. To the extent that the Contract is funded, in whole or part, with Federal funds or mandated by Federal laws: (i) the provisions of the Contract that conflict with Federal rules, Federal regulations, or Federal program specific requirements shall not apply and (ii) to the extent that the modifications to Attachment A-3 are required by Federal requirements and conflict with other provisions of the Contract, the modifications to Attachment A-3 shall supersede all other provisions of this Contract; and (iii) the Contractor agrees to comply with all applicable Federal rules, regulations and program specific requirements including, but not limited to, those provisions that are set forth in Attachment A-3 (Federally Funded Grants and Requirements Mandated by Federal Laws), attached hereto.

## **N. Renewal:**

1. **General Renewal:** The Contract may consist of successive periods on the same terms and conditions, as specified within the Contract (a “Simplified Renewal Contract”). Each additional or superseding period shall be on the forms specified by the State and shall be incorporated in the Contract.
2. **Renewal Notice to Not-for-Profit Contractors:** The Contract, as specified herein, may consist of successive periods on the same terms and condition referred to as a “Simplified Renewal Contract.” Each additional or superseding period shall be on the forms specified by the State and shall be incorporated into the Contract. Pursuant to State Finance Law §179-t, if the Contract is with a not-for-profit Contractor and provides for a renewal option, the State shall notify the Contractor of the State’s intent to renew or not to renew the Contract no later than ninety (90) calendar days prior to the end of the term of the Contract, unless funding for the renewal is contingent upon enactment of an appropriation, than thirty (30) calendar days after the appropriation becomes law, whichever is later. Notwithstanding the foregoing, in the event the State is unable to comply with the time frames set forth in this paragraph due to unusual circumstances beyond the control of the State (“Unusual Circumstances”), no payment of interest shall be due to the Contractor. For purposes of State Finance Law §179-t, “Unusual Circumstances” shall not mean the failure by the State to (i) plan for implementation of a program, (ii) assign sufficient staff resources to implement a program, (iii) establish a schedule for the implementation of a program or (iv) anticipate any other reasonably foreseeable circumstance. Notification to the Contractor of the State’s intent to not renew the Contract must be in writing in the form of a letter, with the reason(s) for the non-renewal included. If the State does not provide notice to the Contractor of its intent not to renew the Contract as required in this Section and State Finance Law §179-t, the Contract shall be deemed continued until the date the State provides the necessary notice to the Contractor, in accordance with State Finance Law §179-t. Expenses incurred by the not-for-profit Contractor during such extension shall be reimbursable under the terms of the Contract.

## **II. TERMINATION AND SUSPENSION**

### **A. Termination:**

#### **1. Grounds:**

- a) Mutual Consent: The Contract may be terminated at any time upon mutual written consent of the State and the Contractor.

C1003495



b) Cause: The State may terminate the Contract immediately, upon written notice of termination to the Contractor, if the Contractor fails to comply with any of the terms and conditions of the Contract and/or any applicable laws, rules, regulations, policies, or procedures. If the termination for cause results from unsatisfactory performance by the Contractor, the value of the work performed by the Contractor prior to termination shall be established by the State.

c) Non-Responsibility: Upon written notice to the Contractor, and a reasonable opportunity to be heard by the appropriate State officials or staff, this Contract may be terminated by the State at the Contractor's expense where the Contractor is determined by the State to be non-responsible. In such event, the State may complete contractual requirements in any manner it deems advisable and pursue available legal or equitable remedies for breach.

d) Convenience: The State may terminate the Contract in its sole discretion upon thirty (30) calendar days prior written notice.

e) Lack of Funds: If for any reason the State or the Federal government terminates or reduces its appropriation to the applicable State Agency or entity entering into the Contract or fails to pay the full amount of the allocation for the operation of one or more programs funded under this Contract, the Contract may be terminated or reduced at the State Agency's discretion. No reduction or termination shall apply to allowable costs already incurred by the Contractor whereby funds are available to the State Agency for payment of such costs. Upon termination or reduction of the Contract, all remaining funds paid to the Contractor that are not subject to allowable costs already incurred by the Contractor shall be returned to the State Agency. In any event, no liability shall be incurred by the State (including the State Agency) beyond monies available for the purposes of the Contract. The Contractor acknowledges that any funds due to the State Agency or the State of New York because of disallowed expenditures after audit shall be the Contractor's responsibility.

f) Force Majeure: Performance under the Contract may be terminated or suspended by the State immediately upon the occurrence of a "force majeure" event. For purposes of the Contract, "Force majeure" shall include, but not be limited to, natural disasters, war, rebellion, declared pandemics, insurrection, riot, strikes, lockout, and any unforeseen circumstances and acts beyond the control of the parties which render the performance of contractual obligations impossible.

## **2. Effect of Notice and Termination on State's Payment Obligations:**

Upon receipt of notice of termination provided pursuant to the notice requirements prescribed in this Agreement, the Contractor shall stop work immediately and complete only those specific assignments and/or obligations, if any, subsequently approved by the State. In the event of termination other than for cause, the Contractor shall be entitled to compensation for services performed through the date of termination that are accepted by the State, and for any subsequent services that are accepted by the State, rendered in connection with any successor consultants and contractors, including transfer of records, briefing and any other services deemed necessary or desirable by the State. The Contractor agrees to cooperate to the fullest respect with any successor consultants and contractors.

## **3. Effect of Termination Based on Misuse or Conversion of State or Federal Property:**

Where the Contract is terminated for cause based on Contractor's failure to use some or all of the real property or equipment purchased pursuant to the Contract for the purposes set forth herein, the State



may, at its option, require: a) repayment to the State of any monies previously paid to the Contractor; b) return of any real property or equipment purchased under the terms of the Contract; or c) an appropriate combination of clauses (a) and (b) herein.

Nothing herein shall be intended to limit the State's ability to pursue such other legal or equitable remedies as may be available.

#### **4. Suspension:**

The State may, in its discretion, order the Contractor to suspend performance for a reasonable period of time. In the event of such suspension, the Contractor shall be given formal written notice outlining the specific details of such suspension. Upon issuance of such notice, the Contractor shall comply with the particulars of the notice. The State shall have no obligation to reimburse Contractor's expenses during such suspension period. Activities may resume at such time as the State issues a formal written notice authorizing a resumption of performance under the Contract.

### **III. ADDITIONAL OBLIGATIONS, REPRESENTATIONS AND WARRANTIES**

#### **A. Contractor as an Independent Contractor/Employees:**

1. The State and the Contractor agree that the Contractor is an independent contractor, and not an employee of the State and may neither hold itself out nor claim to be an officer, employee, or subdivision of the State nor make any claim, demand, or application to or for any right based upon any different status. Notwithstanding the foregoing, the State and the Contractor agree that if the Contractor is a New York State municipality, the Contractor shall be permitted to hold itself out, and claim, to be a subdivision of the State.

The Contractor shall be solely responsible for the recruitment, hiring, provision of employment benefits, payment of salaries and management of its project personnel. These functions shall be carried out in accordance with the provisions of the Contract, and all applicable Federal and State laws and regulations.

2. The Contractor warrants that it, its staff, and any and all subcontractors have all the necessary licenses, approvals, and certifications currently required by the laws of any applicable local, state, or Federal government to perform the services or work, as applicable, pursuant to the Contract and/or any subcontract entered into under the Contract. The Contractor further agrees that such required licenses, approvals, and certificates shall be kept in full force and effect during the term of the Contract, or any extension thereof, and to secure any new licenses, approvals, or certificates within the required time frames and/or to require its staff and subcontractors to obtain the requisite licenses, approvals, or certificates. In the event the Contractor, its staff, and/or subcontractors are notified of a denial or revocation of any license, approval, or certification to perform the services or work, as applicable, under the Contract, Contractor shall immediately notify the State.

#### **B. Subcontractors:**

1. If the Contractor enters into subcontracts for the performance of work pursuant to the Contract, the Contractor shall take full responsibility for the acts and omissions of its subcontractors. Nothing in the subcontract shall impair the rights of the State under the Contract. No contractual relationship shall be deemed to exist between the subcontractor and the State.

2. If requested by the State, the Contractor agrees not to enter into any subcontracts, or revisions to subcontracts, that are in excess of \$100,000 for the performance of the obligations contained herein until it has received the prior written permission of the State, which shall have the right to review and approve each and every subcontract in excess of \$100,000 prior to giving written permission to the Contractor to enter into the subcontract. All agreements between the Contractor and subcontractors shall be by written contract, signed by individuals authorized to bind the parties. All such subcontracts shall contain provisions for specifying (1) that the work performed by the subcontractor must be in accordance with the terms of the Contract, (2) that nothing contained in the subcontract shall impair the rights of the State under the Contract, and (3) that nothing contained in the subcontract, nor under the Contract, shall be deemed to create any contractual relationship between the subcontractor and the State. In addition, subcontracts shall contain any other provisions which are required to be included in subcontracts pursuant to the terms herein.
3. If requested by the State, the Contractor agrees to require the subcontractor to provide to the State the information the State needs to determine whether a proposed subcontractor is a responsible vendor.
4. When a subcontract equals or exceeds \$100,000, the subcontractor shall submit a Vendor Responsibility Questionnaire (Questionnaire).
5. If requested by the State, upon the execution of a subcontract, the Contractor shall provide detailed subcontract information (a copy of subcontract will suffice) to the State within fifteen (15) calendar days after execution. The State may request from the Contractor copies of subcontracts between a subcontractor and its subcontractor.
6. The Contractor shall require any and all subcontractors to submit to the Contractor all financial claims for Services or work to the State agency, as applicable, rendered and required supporting documentation and reports as necessary to permit Contractor to meet claim deadlines and documentation requirements as established in Attachment D (Payment and Reporting). Subcontractors shall be paid by the Contractor on a timely basis after submitting the required reports and vouchers for reimbursement of services or work, as applicable. Subcontractors shall be informed by the Contractor of the possibility of non-payment or rejection by the Contractor of claims that do not contain the required information, and/or are not received by the Contractor by said due date.

#### **C. Use of Material, Equipment, Or Personnel:**

1. The Contractor shall not use materials, equipment, or personnel paid for under the Contract for any activity other than those provided for under the Contract, except with the State's prior written permission.
2. Any interest accrued on funds paid to the Contractor by the State shall be deemed to be the property of the State and shall either be credited to the State at the close-out of the Contract or, upon the written permission of the State, shall be expended on additional services or work, as applicable, provided for under the Contract.

#### **D. Property:**

1. For the purposes of the Contract, "Property" is defined as real property, equipment, or tangible

personal property having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit. For Federally funded contracts, if there is any conflict in the definition of "Property" the federal awarding Agency definitions will apply.

- a) If an item of Property required by the Contractor is available as surplus to the State, the State at its sole discretion, may arrange to provide such Property to the Contractor in lieu of the purchase of such Property. Such Property shall be returned to the State at the Contractor's cost and expense upon the expiration of the Contract unless the State consents in writing to the Contractor retaining possession of the Property to use for similar purposes.
- b) In addition, the Contractor agrees to permit the State to inspect the Property and to monitor its use at reasonable intervals during the Contractor's regular business hours.
- c) The Contractor shall be responsible for maintaining and repairing Property purchased or procured under the Contract at its own cost and expense. The Contractor shall procure and maintain insurance at its own cost and expense in an amount satisfactory to the State Agency, naming the State Agency as an additional insured, covering the loss, theft, or destruction of such equipment. The Contractor may not charge rental or use fees under this Contract for use or acquisition of Property to carry out its obligations under the Contract.
- d) The State has the right to review and approve in writing any new contract for the purchase of or lease for rental of Property (Purchase/Lease Contract) operated in connection with the provision of the services or work as specified in the Contract, if applicable, and any modifications, amendments, or extensions of an existing lease or purchase prior to its execution. If, in its discretion, the State disapproves of any Purchase/Lease Contract, then the State shall not be obligated to make any payments for such Property.
- e) No member, officer, director, or employee of the Contractor shall retain or acquire any interest, direct or indirect, in any Property, paid for with funds under the Contract, nor retain any interest, direct or indirect, in such, without full and complete prior disclosure of such interest and the date of acquisition thereof, in writing to the Contractor and the State.

2. For non-Federally funded contracts, unless otherwise provided herein, the State shall have the following rights to Property purchased with funds provided under the Contract:

- a) For cost-reimbursable contracts, all right, title and interest in Property with a remaining useful life shall belong to the State unless otherwise agreed to, in writing, by the State and the Contractor. However, upon agreement by the State, title shall pass to Contractor upon the end of the Property's useful life (as the phrase "useful life" is defined in Internal Revenue Code § 1.169-2).
- b) For performance-based contracts, all right, title and interest in such Property shall belong to the Contractor.

3. For Federally funded contracts, title to Property whose requisition cost is borne in whole or in part by monies provided under the Contract shall be governed by the terms and conditions of Attachment A-3 (Federally Funded Grants and Requirements Mandated by Federal Laws).

4. The Contractor shall maintain an inventory of all Property that is owned by the State and obtained

by the Contractor under this Agreement.

5. The Contractor shall execute any documents which the State may reasonably require to effectuate the provisions of this section.

## **E. Records and Audits:**

### **1. General:**

- a) The Contractor shall establish and maintain, in paper or electronic format, complete and accurate books, records, documents, receipts, accounts, and other evidence directly pertinent to its performance under the Contract (collectively, Records).
- b) The Contractor agrees to produce and retain for the balance of the term of the Contract, and for a period of six years from the later of the date of (i) the Contract and (ii) the most recent renewal of the Contract, any and all Records necessary to substantiate upon audit, the proper deposit and expenditure of funds received under the Contract. Such Records may include, but not be limited to, original books of entry (e.g., cash disbursements and cash receipts journal), and the following specific records (as applicable) to substantiate the types of expenditures noted:
  - (i) personal service expenditures: cancelled checks and the related bank statements, time and attendance records, payroll journals, cash and check disbursement records including copies of money orders and the like, vouchers and invoices, records of contract labor, any and all records listing payroll and the money value of non-cash advantages provided to employees, time cards, work schedules and logs, employee personal history folders, detailed and general ledgers, sales records, miscellaneous reports and returns (tax and otherwise), and cost allocation plans, if applicable.
  - (ii) payroll taxes and fringe benefits: cancelled checks, copies of related bank statements, cash and check disbursement records including copies of money orders and the like, invoices for fringe benefit expenses, miscellaneous reports and returns (tax and otherwise), and cost allocation plans, if applicable.
  - (iii) non-personal services expenditures: original invoices/receipts, cancelled checks and related bank statements, consultant agreements, leases, and cost allocation plans, if applicable.
  - (iv) receipt and deposit of advance and reimbursements: itemized bank stamped deposit slips, and a copy of the related bank statements.
- c) The OSC, AG and any other person or entity authorized to conduct an examination, as well as the State Agency or State Agencies involved in the Contract that provided funding, shall have access to the Records during the hours of 9:00 a.m. until 5:00 p.m., Monday through Friday (excluding State recognized holidays), at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying.
- d) The State shall protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law provided that: (i) the Contractor shall

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timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records, as exempt under Section 87 of the Public Officers Law, is reasonable.

- e) Nothing contained herein shall diminish, or in any way adversely affect, the State's rights in connection with its audit and investigatory authority or the State's rights in connection with discovery in any pending or future litigation.

#### **F. Confidentiality:**

1. Contractor agrees that it will not use confidential, personally identifiable information relating to individuals who may receive services, or proprietary information disclosed to Contractor in connection with the services or work ("Confidential Information") for any purpose other than in connection with the services or work and in compliance with all applicable provisions of State and federal law. The Contractor is fully responsible for its staff, its subcontractor(s), and any subcontractor's staff with regard to Confidential Information and shall ensure that they meet all obligations with respect to maintaining the confidentiality and security of any information deemed confidential.
2. Information which falls into any of the following categories shall not be considered Confidential Information: a) information that is previously rightfully known to the Contractor without restriction on disclosure; b) information that becomes, from no breach of the Contract on the part of the Contractor, generally known in the relevant industry, or is otherwise publicly available; and c) information that is independently developed by Contractor without use of the Confidential Information.
3. Except as specifically permitted in this Agreement, Contractor shall not, at any time, in any fashion, form or manner, divulge, disclose, communicate, or use, any Confidential Information other than in connection with the services or as otherwise provided herein.
4. Contractor may disclose Confidential Information if such information is required to be disclosed by Contractor by any law, rule, regulation, judicial or administrative process or applicable professional standards, provided that, to the extent permitted by applicable law or regulation, the Contractor notifies the State prior to any such required disclosure.
5. Where allowable by law and agreed to by the State, Contractor may retain one copy of the Confidential Information and any summaries, analyses, notes, or extracts prepared by Contractor which are based on or contain portions of the Confidential Information evidencing its services or work for the State as required by law, regulation, professional standards, or reasonable business practice.
6. In protecting the Confidential Information, Contractor shall exercise the same standard of care used by Contractor to protect its own confidential and proprietary information, to prevent the disclosure of Confidential Information to any third party. Contractor shall not use Confidential Information for any purpose other than in furtherance of its services or work for the State.

#### **G. Publicity:**

1. Publicity regarding the work, services, performance, and/or project governed by this Agreement may not be released without prior written approval from the State. For the purposes of this Agreement, "Publicity" includes, but is not limited to: news conferences; news releases; public announcements; advertising; brochures; reports; discussions or presentations at conferences or

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meetings; and/or the inclusion of State materials, the State's name, or other such references to the State in any document or forum.

2. Any Publicity, publications, presentations or announcements of conferences, meetings or trainings which are funded in whole or in part through any activity supported under the Contract may not be published, presented or announced without prior written approval of the State. Any such publication, presentation or announcement shall:

- a) Acknowledge the support of the State of New York and, if funded with Federal funds, the applicable Federal funding agency; and
- b) State that the opinions, results, findings and/or interpretations of data contained therein are the responsibility of the Contractor and do not necessarily represent the opinions, interpretations, or policy of the State or if funded with Federal funds, the State and the applicable Federal funding agency.

3. Notwithstanding the above, (i) if the Contractor is an educational research institution, the Contractor may, for scholarly or academic purposes, use, present, discuss, report or publish any material, data or analyses, other than Confidential Information, that derives from activity under the Contract and the Contractor agrees to use best efforts to provide copies of any manuscripts arising from Contractor's performance under this Contract, or if requested by the State, the Contractor shall provide the State with a thirty (30) calendar day period in which to review each manuscript for compliance with Confidential Information requirements prior to publication; or (ii) if the Contractor is not an educational research institution, the Contractor may submit for publication, scholarly or academic publications that derive from activity under the Contract (but are not deliverable under the Contract), provided that the Contractor first submits such manuscripts to the State forty-five (45) calendar days prior to submission for consideration by a publisher in order for the State to review the manuscript for compliance with confidentiality requirements and restrictions and to make such other comments as the State deems appropriate. All derivative publications shall follow the same acknowledgments and disclaimer as described in Section III(F)(2) (Publicity) hereof.

#### **H. Web-Based Applications-Accessibility:**

Any network-based information and applications development, or programming delivered to or by the State pursuant to this Contract or procurement, will comply with Section 508 of the Rehabilitation Act of 1973, as amended, and be consistent with New York State Enterprise IT Policy NYS-P08-005, Accessibility of Information Communication Technology, as such policy may be amended, modified, or superseded (the "Accessibility Policy"). The Accessibility Policy requires that State Entity Information Communication Technology shall be accessible to persons with disabilities as determined by accessibility compliance testing. Such accessibility compliance testing will be conducted by (State Entity name, contractor or other) and any report on the results of such testing must be satisfactory to (State Entity name).

#### **I. Unemployment Insurance Compliance:**

The Contractor shall remain current in both its quarterly reporting and payment of contributions or payments in lieu of contributions, as applicable, to the State Unemployment Insurance system as a condition of maintaining this grant.

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1. The Contractor hereby authorizes the State Department of Labor to disclose to the State Agency staff only such information as is necessary to determine the Contractor's compliance with the State Unemployment Insurance Law. This includes, but is not limited to, the following: a) any records of unemployment insurance (UI) contributions, interest, and/or penalty payment arrears or reporting delinquency; b) any debts owed for UI contributions, interest, and/or penalties; c) the history and results of any audit or investigation; and d) copies of wage reporting information.
2. Such disclosures are protected under Section 537 of the State Labor Law, which makes it a misdemeanor for the recipient of such information to use or disclose the information for any purpose other than the performing due diligence as a part of the approval process for the Contract.

#### **J. Charities Registration:**

If applicable, the Contractor agrees to (i) obtain not-for-profit status, a Federal identification number, and a charitable registration number (or a declaration of exemption) and to furnish the State Agency with this information as soon as it is available, (ii) be in compliance with the OAG charities registration requirements at the time of the awarding of this Contract by the State and (iii) remain in compliance with the OAG charities registration requirements throughout the term of the Contract.

#### **K. Vendor Responsibility:**

The Contractor hereby acknowledges that the State Vendor Responsibility Questionnaire (Questionnaire) and certification are made part of this Contract and that any misrepresentation of fact in the Questionnaire and attachments, or in any Contractor responsibility information that may be requested by the State, may result in termination of this Contract.

The Contractor shall at all times during the contract term remain responsible. During the term of this Contract, any changes in the provided Questionnaire shall be disclosed to the State Agency, in writing, in a timely manner. Failure to make such disclosure may result in a determination of non-responsibility and termination of this Contract. Furthermore, the Contractor agrees, if requested by the State, it must present evidence of its continuing legal authority to do business in New York State, its integrity, experience, ability, prior performance, and organizational and financial capacity.

The State, in its sole discretion, reserves the right to make a final determination of non-responsibility at any time during the term of the Contract, based on any information provided in the Questionnaire and/or any updates, clarifications, or amendments thereof; and/or when it discovers information that calls into question the responsibility of the Contractor. Prior to making a final determination of non-responsibility, the State shall provide written notice to the Contractor that it has made a preliminary determination of non-responsibility. The State shall detail the reason(s) for the preliminary determination, and shall provide the Contractor with an opportunity to be heard.

The State reserves the right to suspend any or all activities under this Contract, upon discovery of such information warranting review of responsibility. In the event of such suspension, the Contractor will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the Contractor must comply with the terms of the suspension order. Contract activity may resume at such time as the State issues a written notice authorizing a resumption of performance under this Contract.

#### **L. Workers' Compensation Benefits:**

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1. In accordance with Section 142 of the State Finance Law, the Contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of the Contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
2. If a Contractor believes they are exempt from the Workers Compensation insurance requirement they must apply for an exemption.



## **APPENDIX A**

# **STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS**

**PLEASE RETAIN THIS DOCUMENT  
FOR FUTURE REFERENCE.**

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**STANDARD CLAUSES FOR NYS CONTRACTS**

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, “the contract” or “this contract”) agree to be bound by the following clauses which are hereby made a part of the contract (the word “Contractor” herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

**1. EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

**2. NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State’s previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller’s approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor’s business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State’s prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

**3. COMPTROLLER’S APPROVAL.** In accordance with Section 112 of the State Finance Law, if this contract exceeds \$50,000 (or \$75,000 for State University of New York or City University of New York contracts for goods, services, construction and printing, and \$150,000 for State University Health Care Facilities) or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$25,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller’s approval of contracts let by the Office of General Services, either for itself or its customer agencies by the Office of General Services Business Services Center, is required when such contracts exceed \$85,000. Comptroller’s approval of contracts established as centralized contracts through the Office of General Services is required when such contracts exceed \$125,000, and when a purchase order or other procurement transaction issued under such centralized contract exceeds

\$200,000.

**4. WORKERS’ COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers’ Compensation Law.

**5. NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment, nor subject any individual to harassment, because of age, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status or because the individual has opposed any practices forbidden under the Human Rights Law or has filed a complaint, testified, or assisted in any proceeding under the Human Rights Law. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

**6. WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor’s employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage

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and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

**7. NON-COLLUSIVE BIDDING CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

**8. INTERNATIONAL BOYCOTT PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2 NYCRR § 105.4).

**9. SET-OFF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the

finalization of such audit by the State agency, its representatives, or the State Comptroller.

**10. RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, the "Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

**11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.**

(a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is

requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

**12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.**

In accordance with Section 312 of the Executive Law and 5 NYCRR Part 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal

employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "(a), (b) and (c)" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this clause. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

**13. CONFLICTING TERMS.** In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

**14. GOVERNING LAW.** This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

**15. LATE PAYMENT.** Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

**16. NO ARBITRATION.** Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

**17. SERVICE OF PROCESS.** In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30)



calendar days after service hereunder is complete in which to respond.

**18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS.** The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in § 165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

**19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES.** In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

**20. OMNIBUS PROCUREMENT ACT OF 1992.** It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development  
Division for Small Business and Technology Development  
625 Broadway  
Albany, New York 12245  
Telephone: 518-292-5100

A directory of certified minority- and women-owned business enterprises is available from:

NYS Department of Economic Development  
Division of Minority and Women's Business Development  
633 Third Avenue 33rd Floor  
New York, NY 10017  
646-846-7364  
email: [mwbusinessdev@esd.ny.gov](mailto:mwbusinessdev@esd.ny.gov)  
<https://ny.newnycontracts.com/FrontEnd/searchcertifieddirectory.asp>

The Omnibus Procurement Act of 1992 (Chapter 844 of the Laws of 1992, codified in State Finance Law § 139-i and Public Authorities Law § 2879(3)(n)-(p)) requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority- and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

**21. RECIPROCITY AND SANCTIONS PROVISIONS.** Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively, codified in State Finance Law § 165(6) and Public Authorities Law § 2879(5)) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 2023, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii.

**22. COMPLIANCE WITH BREACH NOTIFICATION AND DATA SECURITY LAWS.** Contractor shall comply with the provisions of the New York State Information Security

Breach and Notification Act (General Business Law §§ 899-aa and 899-bb and State Technology Law § 208).

**23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.** If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4)(g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

**24. PROCUREMENT LOBBYING.** To the extent this agreement is a “procurement contract” as defined by State Finance Law §§ 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law §§ 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

**25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.**

To the extent this agreement is a contract as defined by Tax Law § 5-a, if the contractor fails to make the certification required by Tax Law § 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law § 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

**26. IRAN DIVESTMENT ACT.** By entering into this Agreement, Contractor certifies in accordance with State

Finance Law § 165-a that it is not on the “Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012” (“Prohibited Entities List”) posted at: <https://ogs.ny.gov/iran-divestment-act-2012>

Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law § 165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

**27. ADMISSIBILITY OF REPRODUCTION OF CONTRACT.** Notwithstanding the best evidence rule or any other legal principle or rule of evidence to the contrary, the Contractor acknowledges and agrees that it waives any and all objections to the admissibility into evidence at any court proceeding or to the use at any examination before trial of an electronic reproduction of this contract, in the form approved by the State Comptroller, if such approval was required, regardless of whether the original of said contract is in existence.

# **ATTACHMENT A-1**

## **New York State Department of State (1/16/24)**

### Agency Specific Clauses

For the purposes of this Agreement, the terms "State" and "Department" are interchangeable, unless the context requires otherwise. In addition, the terms "Agreement" and "Contract" are interchangeable, unless the context requires otherwise.

#### **A. Project Timetable**

The Contractor agrees to proceed expeditiously with the Project and to complete the Project in accordance with any timetable associated therewith as set forth in the Work Plan (Attachment C) as well as with the conditions of any applicable permits, administrative orders, or judicial orders and this Agreement.

#### **B. Budget Modifications**

Prior DOS written approval is required for all requests for budget modifications, regardless of the amount of the modification, or where the proposed modification will result in a transfer of funds among program activities or budget cost categories, but does not affect the amount, consideration, scope or other terms of such contract. All requests for modifications must be done in writing and requires a detailed breakdown of requested changes and justification for the request. Additional approvals will be required when modifications exceed thresholds described below.

Any proposed modification to a contract that will result in a transfer of funds among program activities or budget cost categories, but does not affect the amount, consideration, scope or other terms of such contracts must be submitted to DOS for submission to the Office of State Comptroller for approval when:

1. The amount of the modification is equal to or greater than ten percent of the total value of the contract for contracts of less than five million dollars; or
2. The amount of the modification is equal to or greater than five percent of the total value of the contract for contracts of more than five million dollars.

#### **C. Documentation of Performance**

In addition to the criteria set forth in Section III(E)(1)(b) of the NYS Contract for Grants, documentation of personal service expenditures shall:

1. Be based upon actual work performed;
2. Be supported by internal controls that provide a reasonable assurance that the charges are accurate, allowable, and properly allocated; and
3. Comply with the Contractor's established accounting policies and conform to generally accepted accounting principles.

#### **D. License to Use and Reproduce Documents, Intellectual Property and Other Works:**

By acceptance of this Agreement, Contractor transfers to the Department a perpetual, transferable, nonexclusive license to use, reproduce in any medium, and distribute, for any purpose, any intellectual property or other work purchased, developed or prepared for or in connection with the Project using funding provided pursuant to this Contract, including but not limited to reports, maps, designs, plans, analysis, and



documents regardless of the medium in which they are originally produced. Contractor warrants to the Department that it has sufficient title or interest in such works to license pursuant to this Agreement, and further agrees and warrants that it shall not enter into any subcontract or other agreement purporting to limit such title or interest in such works in any manner that may compromise Contractor's ability to provide the aforesaid license to the Department. Such warranties shall survive the termination of this Agreement. Contractor agrees to provide the original of each such work, or a copy thereof which is acceptable to the Department, to the Department before payments shall be made under this Agreement.

#### E. Property

The ownership of all property or intellectual property described herein and purchased, developed or prepared under the terms of this Contract shall reside with the Contractor with a reversionary interest in such property or intellectual property held by the Department, unless otherwise authorized or directed in writing by the Department. Except as otherwise provided in Section II(A)(3) of the NYS Contract for Grants, Contractor shall retain ownership of such property or intellectual property after the term of this Contract so long as such property or intellectual property is used for purposes similar to those contemplated by this Contract. Otherwise, the Contractor shall return such property or intellectual property to the Department at the Contractor's cost and expense, and Contractor's ownership interests, rights and title in such property or intellectual property shall revert to the Department. The ownership of all property purchased with federal funds provided pursuant to this Agreement, however, shall be governed by the terms of applicable federal law including, but not limited to, 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," as amended.

In addition to the requirements of Section III(D)(4) of the NYS Contract for Grants, the Contractor shall maintain an inventory of all property purchased under this Agreement and owned by the Contractor. Such inventory shall be retained by the Contractor for the time period specified in Section III(E)(1) and available for inspection and copying by the State.

#### F. Termination

The Department may terminate the Agreement in accordance with the terms and conditions set forth in Section II(A) of the NYS Contract for Grants. In addition to other reserved rights it has to terminate this Agreement, the Department may terminate or suspend the Agreement under the following circumstances:

1. The Contractor shall complete the project as set forth in this Agreement, and failure to render satisfactory progress or to complete the project to the satisfaction of the State may be deemed an abandonment of the project and may cause the suspension or termination of any obligation of the State. In the event the Contractor should be deemed to have abandoned the project for any reason or cause other than a national emergency or an Act of God, all monies paid to the Contractor by the State and not expended in accordance with this Agreement shall be repaid to the State upon demand. If such monies are not repaid within forty-five (45) days after such demand, the State Comptroller of the State of New York may cause to be withheld from the Contractor any State assistance to which the Contractor would otherwise be entitled in an amount equal to the monies demanded or the Department may pursue any other remedies available to the State.
2. The Department shall also have the right to postpone or suspend the Agreement or deem it abandoned without this action being a breach of the Agreement. The Department shall provide written notice to the Contractor indicating the Agreement has been postponed, suspended or abandoned. During any postponement, suspension or abandonment the Contractor agrees not to do any work under the Agreement without prior written approval of the Department.

3. Any funds paid to the Contractor by the Department which are not expended under the terms of the Agreement shall be repaid to the Department.

G. Subcontracting Requirements

1. Contractor agrees that it shall not enter into any subcontract for the performance of work in furtherance of this Contract with any subcontractor that at the time of contracting: (1) is listed on the New York State Department of Labor's list of companies with which New York State cannot do business (available at <https://apps.labor.ny.gov/EDList/searchPage.do>) or is listed on the New York State Office of General Service's list of companies with which New York State cannot do business (available at <https://ogs.ny.gov/debarred-and-non-responsible-entities>); (2) is listed as an entity debarred from federal contracts (available at: [sam.gov](http://sam.gov)); or (3) fails to possess requisite workers compensation and disability insurance coverage (see <http://www.wcb.ny.gov>).

In addition, Contractor agrees that it shall immediately suspend or terminate any subcontract entered into for the performance of work in furtherance of this Contract if at any time during the term of such subcontract the subcontractor: (1) is listed on the New York State Department of Labor's list of companies with which New York State cannot do business (available at <https://apps.labor.ny.gov/EDList/searchPage.do>) or is listed on the New York State Office of General Service's list of companies with which New York State cannot do business (available at <https://ogs.ny.gov/debarred-and-non-responsible-entities>); (2) is listed as an entity debarred from federal contracts (available at: [sam.gov](http://sam.gov)); or (3) fails to maintain requisite workers compensation or disability insurance coverage (see <http://www.wcb.ny.gov>). Contractor agrees that any such suspension shall remain in place until the condition giving rise to the suspension is corrected by the subcontractor. The terms of this clause shall be incorporated in any and all subcontracts entered into in furtherance of this Contract.

2. The Contractor's use of subcontractors shall not diminish the Contractor's obligations to complete the Work in accordance with the Contract. The Contractor shall control and coordinate the Work of its subcontractors.
3. The Contractor shall be responsible for informing its subcontractors of all the terms, conditions and requirements of the Contract including, but not limited to the terms of the Agreement, any and all Appendices, and any changes made by amendments thereto, and ensuring that any and all subcontracts entered into in furtherance of this Contract conform to and do not conflict with such terms.
4. Contractor shall file each and every subcontract entered into in furtherance of this Contract with the Department of State no later than fifteen (15) calendar days following the signing of the subcontract, unless otherwise authorized or directed by the Department of State.
5. In addition to the requirements of Section III(B)(2) of the NYS Contract for Grants, the Department reserves the right to require, upon notice to the Contractor, that, commencing from the date of such notice or a date otherwise specified in such notice, Contractor must obtain written approval from the Department prior to entering into any and all subcontracts valued at or below \$100,000 for the performance of any activities covered by this Contract. Contractor agrees to require any proposed subcontractors to timely provide to the Department such information as may be requested by the Department as necessary to assess whether the proposed subcontractor is a responsible entity capable of lawfully and satisfactorily performing the work. In the event the Department invokes this right of prior approval and a request for approval is submitted by Contractor and denied by the Department, Contractor agrees that it shall not enter into the proposed subcontract and that no costs associated with such subcontract shall be allowable under this Contract.

## H. Compliance with Procurement Requirements

1. All contracts by municipalities for service, labor, and construction involving not more than \$35,000 and purchase contracts involving not more than \$20,000 are subject to the requirements of General Municipal Law §104-b, which requires such contracts to comply with the procurement policies and procedures of the municipality involved. All such contracts shall be awarded after and in accordance with such municipal procedures, subject to the MWBE requirements as set forth in Section M, SDVOB requirements set forth in Section N, and any additional requirements imposed by the State as set forth in this Agreement.

The municipal attorney, chief legal officer or financial administrator of the Contractor shall certify to the Department of State that applicable public bidding procedures of General Municipal Law §103 were followed for all service, labor, and construction contracts involving more than \$35,000 and all purchase contracts involving more than \$20,000. In the case of contracts by municipalities, service, labor, and construction contracts involving not more than \$35,000 and purchase contracts involving not more than \$20,000, the municipal attorney, chief legal officer or financial administrator shall certify that the procedures of the municipality established pursuant to General Municipal Law §104-b were fully complied with, in addition to the MWBE requirements as set forth in Section M, SDVOB requirements set forth in Section N, and any additional requirements imposed by the State as set forth in this Agreement.

2. For non-municipal entities, the chief legal officer or financial administrator of the Contractor shall certify to the State that alternative proposals and quotations for professional services were secured by use of written requests for proposals through a publicly advertised process satisfactory to meet the MWBE requirements set forth in Section M, SDVOB requirements set forth in Section N, any additional requirements imposed by the State as set forth in this Agreement, any applicable law, and its own policies.

## I. Vendor Responsibility Determinations

A Vendor Responsibility Questionnaire and Certification is required for certain contracts. This Questionnaire is designed to provide information to assist the contracting agency in assessing a Contractor's responsibility, prior to entering into a contract, and must be completed and submitted electronically or returned with the contract. Contractor is invited to file the required Vendor Responsibility Questionnaire online via the New York State VendRep System or may choose to complete and submit a paper questionnaire. To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at <http://osc.state.ny.us/vendrep/index.htm>. For direct VendRep System user assistance, the Office of the State Comptroller's Help Desk may be reached at 866-370-4672 or 518-408-4672 or by email at [helpdesk@osc.state.ny.us](mailto:helpdesk@osc.state.ny.us). Vendors opting to file a paper questionnaire can obtain the appropriate questionnaire from the VendRep website [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep) or may contact the Department of State or the Office of the State Comptroller's Help Desk for a copy of the paper form.

## J. State Attorney General Charities Registration

In accordance with the Estates, Powers and Trust Law § 8-1.4 (s), the Contractor certifies that it is in compliance with the requirements of Estate, Powers and Trusts Law sections 8-1.4 (d), (f), and (g), if applicable, regarding organizations which administer property for charitable purposes registering and filing periodic reports (together with the appropriate filing fees) with the New York State Attorney General's Charities Bureau. This certification is a material representation of fact upon which reliance was placed by the Department of State in entering into this Agreement with the Contractor.

The Contractor agrees that it will provide immediate written notice to the Department of State if at any time it learns that this certification was erroneous when made or has become erroneous by reason of changed circumstances.

#### K. Records Access

The Contractor shall make such records available for review by the Department upon request at any time. The Department shall have the right to conduct progress assessments and review books and records as necessary. The Department shall have the right to conduct an on-site review of the Project and/or books and records of the Contractor prior to, and for reasonable time following, issuance of the final payment. The Department shall be entitled to disallow any cost or expense, and/or terminate or suspend this Agreement, if the Contractor has misrepresented any expenditures or Project activities in its application to the Department, or in this Agreement, or in any progress reports or payment requests made pursuant hereto. The Contractor shall maintain such books and records in a manner so that reports can be produced therefrom in accordance with generally accepted accounting principles. The Contractor shall maintain separate financial books and records for all funds received through the Department pursuant to this Agreement.

#### L. Notices

Pursuant to Section I(G) of the NYS Contract for Grants, notice hereunder shall be addressed as follows:

##### 1. Notice to the State

Name, Title	Jennifer Gallo, Director
Agency/Division	Department of State, Bureau of Fiscal Mangement
Address	99 Washington Ave, Suite 1110, Albany, NY 12231
Phone/ Fax/Email	(P): 518-474-2754 (F): (E): dos.sm.Fiscal.CAU@dos.ny.gov

##### 2. Notice to the Contractor

Name, Title	
Address	
Phone/ Fax/Email	(P): (F): (E):

## M. Minority and Women Owned Business Participation

Article 15-A of the New York State Executive Law, as amended, authorized the creation of a Division of Minority and Women's Business Development to promote employment and business opportunities on state contracts for minorities and women. This law supersedes any other provision in state law authorizing or requiring an equal employment opportunity program or a program for securing participation by minority and women-owned business enterprises. Under this statute, State agencies are charged with establishing business participation goals for minorities and women. The Department of State administers a Minority and Women-owned Business Enterprises (MWBE) Program as mandated by Article 15-A.

### 1. General Provisions

- a. The Department of State is required to implement the provisions of New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations ("NYCRR") for all State contracts, as defined therein, with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.
- b. The Contractor to the subject Contract (the "Contractor" and the "Contract," respectively) agrees, in addition to any other nondiscrimination provision of the Contract and at no additional cost to the New York State Department of State (the "Agency"), to fully comply and cooperate with the Agency in the implementation of New York State Executive Law Article 15-A and the regulations promulgated thereunder. These requirements include equal employment opportunities for minority group members and women ("EEO") and contracting opportunities for New York State-certified minority and women-owned business enterprises ("MWBEs"). The Contractor's demonstration of "good faith efforts" pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the "Human Rights Law") and other applicable federal, state, and local laws. Contractor agrees that the terms "MWBE," "MBE" and "WBE" as used herein, shall mean those MBE or WBE firms certified as such by the State pursuant to NY Executive Law Article 15-A and listed in the directory of New York State Certified MWBEs found at the following internet address: <https://ny.newnycontracts.com/>.
- c. Failure to comply with all of the requirements herein may result in a finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the assessment of liquidated damages pursuant to Section M(7) of this Attachment and such other remedies as are available to the Agency pursuant to the Contract and applicable law.

### 2. Contract Goals

- a. The Department's New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") utilization goal is 30%. For purposes of this Contract, the specific overall MWBE goal and the breakdown between the Minority-owned Business Enterprise ("MBE") and the Women-owned Business Enterprise ("WBE") utilization goals, are set forth in the Attachment B "Budget", based on the current availability of MBEs and WBEs.
- b. For purposes of providing meaningful participation by MWBEs on the Contract and achieving the MWBE Contract Goals established in this Agreement, the Contractor should reference the directory of New York State Certified MWBEs found at the following internet address: <https://ny.newnycontracts.com/>.

Additionally, the Contractor is encouraged to contact the Division of Minority and Women's Business Development at (212) 803-2414 to discuss additional methods of maximizing participation by MWBEs on the Contract.

- c. The Contractor understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25 percent of the total value of the broker's contract.

FOR CONSTRUCTION CONTRACTS – The portion of a contract with an MWBE serving as a supplier that shall be deemed to represent the commercially useful function performed by the MWBE shall be 60 percent of the total value of the supplier's contract. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be the monetary value for fees, or the markup percentage, charged by the MWBE.

- d. The Contractor must document "good faith efforts," pursuant to 5 NYCRR §142.8, to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Contract. Such documentation shall include, but not necessarily be limited to:

- (1) Evidence of outreach to MWBEs;
- (2) Any responses by MWBEs to the Contractor's outreach;
- (3) Copies of advertisements for participation by MWBEs in appropriate general circulation, trade, and minority or women-oriented publications;
- (4) The dates of attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by the Agency with MWBEs; and,
- (5) Information describing specific steps undertaken by the Contractor to reasonably structure the Contract scope of work to maximize opportunities for MWBE participation.

### 3. Equal Employment Opportunity ("EEO")

- a. The provisions of Article 15-A §312 of the Executive Law and the rules and regulations promulgated thereunder pertaining to equal employment opportunities for minority group members and women shall apply to the Contract.

- b. In performing the Contract, the Contractor shall:

- (1) Ensure that each contractor and subcontractor performing work on the Contract shall undertake or continue existing EEO programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, EEO shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.
- (2) The Contractor shall submit an EEO policy statement to the Agency within seventy two (72) hours after the date of the notice by Agency to award the Contract to the Contractor.
- (3) If the Contractor, or any of the subcontractors does not have an existing EEO policy statement, the Agency may require the Contractor or subcontractor to adopt a model statement (see Form A - Minority and Women-Owned Business Enterprises Equal Employment Opportunity Policy Statement).
- (4) The Contractor's EEO policy statement shall include the following language:

- (a) The Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status, will



undertake or continue existing EEO programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force.

- (b) The Contractor shall state in all solicitations or advertisements for employees that, in the performance of the Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.
- (c) The Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative will not discriminate on the basis of race, creed, color, national origin, sex age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein.
- (d) The Contractor will include the provisions of Subdivisions (a) through (c) of this Subsection 4 and Paragraph "e" of this section 3, which provides for relevant provisions of the Human Rights Law, in every subcontract in such a manner that the requirements of the subdivisions will be binding upon each subcontractor as to work in connection with the Contract.

c. Form B - Staffing Plan

If the total expenditure of this Contract is in excess of \$250,000, the following provision shall apply:

The Contractor shall submit a staffing plan to document the composition of the proposed workforce to be utilized in the performance of the Contract by the specified categories listed, including ethnic background, gender, and Federal occupational categories. The Contractor shall complete the Staffing plan form and submit it as part of their proposal or within a reasonable time, as directed by the Department of State.

d. Form C - Workforce Utilization Report

- (1) The Contractor shall submit a Workforce Utilization Report, and shall require each of its subcontractors to submit a Workforce Utilization Report, in such form as shall be required by the Agency on a monthly basis for construction contracts, and on a quarterly basis for all other contracts, during the term of the Contract.

- (2) Separate forms shall be completed by the Contractor and any subcontractors performing work on the Contract.

- e. The Contractor shall comply with the provisions of the Human Rights Law, as well as all other State and Federal statutory and constitutional non-discrimination provisions. The Contractor and its subcontractors shall not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, age, disability, predisposing genetic characteristic, familial status, marital status or domestic violence victim status, or has filed a complaint, testified, or assisted in any proceeding under the Human Rights Law, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

#### 4. MWBE Utilization Plan

- a. The Contractor represents and warrants that the Contractor has submitted an MWBE Utilization Plan or shall submit an MWBE Utilization Plan at such time as shall be required by the Department of State through the New York State Contract System (“NYSCS”), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that the Contractor may arrange to provide such evidence via a non-electronic method to the Department of State, either prior to, or at the time of, the execution of the Contract.
- b. The Contractor agrees to adhere to such MWBE Utilization Plan for the performance of the Contract.
- c. The Contractor further agrees that a failure to submit and/or adhere to such MWBE Utilization Plan shall constitute a material breach of the terms of the Contract. Upon the occurrence of such a material breach, the Agency shall be entitled to any remedy provided herein, including but not limited to, a finding that the Contractor is non-responsive.

#### 5. Waivers

- a. If the Contractor, after making good faith efforts, is unable to achieve the MWBE Contract Goals stated herein, the Contractor may submit a request for a waiver through the NYSCS, or a non-electronic method provided by the Agency (use Form E - Waiver Request). Such waiver request must be supported by evidence of the Contractor’s good faith efforts to achieve the maximum feasible MWBE participation towards the applicable MWBE Contract Goals. If the documentation included with the waiver request is complete, the Agency shall evaluate the request and issue a written notice of approval or denial within twenty (20) business days of receipt.
- b. If the Agency, upon review of the MWBE Utilization Plan, quarterly MWBE Contractor Compliance Reports described in Section 6, or any other relevant information, determines that the Contractor is failing or refusing to comply with the MWBE Contract Goals and no waiver has been issued in regards to such non-compliance, the Agency may issue a notice of deficiency to the Contractor. The Contractor must respond to the notice of deficiency within seven (7) business days of receipt. Such response may include a request for partial or total waiver of MWBE Contract Goals.

#### 6. Quarterly MWBE Contractor Compliance Report

The Contractor is required to submit a Quarterly MWBE Contractor Compliance Report (Form F) to the Agency by the 10<sup>th</sup> day following each end of quarter over the term of the Contract documenting the progress made towards achievement of the MWBE goals of the Contract.

The Agency may require the Contractor to use the NYSCS to submit utilization plans, record payments to subcontractors and otherwise report compliance with the provisions of Article 15-A of the Executive Law and regulations. Technical assistance can be obtained through the NYSCS website at <https://ny.newnycontracts.com> by clicking on the “Contact Us & Support” link.

Questions regarding this program should be directed to the Department's Minority and Women-owned Business Program by calling (518) 474-2754. Potential contractors can access the NYS Directory of Certified Minority and Women-owned Business Enterprises on-line through the Empire State Development website at <https://ny.newnycontracts.com>. The Department makes no representation with respect to the availability or capability of any business listed in the Directory.



## 7. Liquidated Damages - MWBE Participation

- a. Where the Agency determines that the Contractor is not in compliance with the requirements of the Contract and the Contractor refuses to comply with such requirements, or if Contractor is found to have willfully and intentionally failed to comply with the MWBE participation goals, the Contractor shall be obligated to pay to the Agency liquidated damages.
- b. Such liquidated damages shall be calculated as an amount equaling the difference between:
  - i) All sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and
  - ii) All sums actually paid to MWBEs for work performed or materials supplied under the Contract.
- c. In the event a determination has been made which requires the payment of liquidated damages and such identified sums have not been withheld by the Agency, the Contractor shall pay such liquidated damages to the Agency within sixty (60) days after they are assessed. Provided, however, that if the Contractor has filed a complaint with the Director of the Division of Minority and Women's Business Development pursuant to 5 NYCRR § 142.12, liquidated damages shall be payable only in the event of a determination adverse to the Contractor following the complaint process.

## N. Service-Disabled Veteran-Owned Businesses Participation

Article 3 of Veterans' Services Law, as amended, authorized the creation of the Division of Service-Disabled Veterans' Business Development to promote participation of Service-Disabled Veteran-Owned Businesses (SDVOBs) in New York State contracting. The Service-Disabled Veteran-Owned Business Act recognizes the veterans' service to and sacrifice for our nation, declares that it is New York State's public policy to promote and encourage the continuing economic development of service-disabled veteran-owned businesses, and allows eligible Veteran business owners to become certified as a New York State Service-Disabled Veteran-Owned Business (SDVOB), in order to increase their participation in New York State's contracting opportunities. To this effect, the Department of State (DOS) has implemented a Veteran-Owned Businesses (SDVOB) Program, as mandated by Article 3.

To comply with the SDVOB Program goals of 6%, the Department of State strongly encourages grantees to make every effort, to the maximum extent possible, to engage certified SDVOBs in the purchasing of commodities, services and technology in the performance of their contracts with the Department. If SDVOB utilization is obtained, a quarterly SDVOB utilization report should be submitted to the Department with information of the utilization percentage achieved during that quarter. Contractor Reporting Forms are found at: <https://dos.ny.gov/supplier-diversity>.

The Division of Service-Disabled Veterans' Business Development (DSDVBD) is housed within the New York State Office of General Services (OGS) and maintains a directory of the NYS Certified SDVOBs. For assistance with engaging SDVOB vendors in your contracts, please contact the Division of Service-Disabled Veterans' Business Development at the following email address: [VeteransDevelopment@ogs.ny.gov](mailto:VeteransDevelopment@ogs.ny.gov), or the DOS Bureau of Fiscal Management – SDVOB Program at [dos.sm.sdvob@dos.ny.gov](mailto:dos.sm.sdvob@dos.ny.gov). The directory of certified SDVOB vendors can be found at: <https://sdves.ogs.ny.gov/business-search>.

O. Refunds and Repayments

The Contractor shall promptly return funds due the State, including repayment of unexpended advances or disallowances. The Contractor shall make payment within forty-five (45) days of the end or termination of the Contract or demand from the Department. The Contractor shall reference the contract number with its payment and include a brief explanation of why the refund is made. Refunds shall be made payable to and addressed, as stated below:

Payable to: NYS Department State  
Mail to: NYS Department of State, Bureau of Fiscal Management  
Address: One Commerce Plaza  
99 Washington Ave, Suite 1110  
Albany, NY 12210

P. Accessibility Compliance Testing

Accessibility compliance testing pursuant to Section III(H) of the NYS Contract for Grants shall be conducted by the Contractor. Any results or reports of such testing shall promptly be provided by the Contractor to Department.

## **II. Attachment A-2: Program Specific Clauses – Legislative Awards (6/4/13)**

### **A. Funding**

1. The Contract Period as set forth on the Face Page is the inclusive period within which the provisions of this Agreement shall be performed. Costs incurred for project activities conducted prior to or after the Contract Period will not be reimbursed under this Agreement.
2. The Contractor and Project as described in the Legislative Initiative Form provided to the Contractor by the Department and incorporated herein by references and as detailed in the Workplan (Attachment C) have been identified to the Department for receipt of a legislative grant award not to exceed the funding amount as set forth on the Contract Face Page.
3. Funding for this project has been appropriated in the Community Projects Fund as established by Section 99-d of the State Finance Law (Chapter 474 of the Laws of 1996). Pursuant to Paragraph 6(a) of Section 99-d, "The state shall not be liable for payments pursuant to any contract, grant or agreement made pursuant to an appropriation in any account of this fund if insufficient monies are available for transfer to such account of this fund, after required transfers pursuant to subdivision three of this section."
4. Notwithstanding the contract period set forth on the Face Page, absent reappropriation in the subsequent State budget, funds for this project will cease to be available for payments on September 15 following the current end date of the contract. In that event, to afford reasonable assurance that payment can be made by the Department, final payment requests must be received by the Department's payment office by no later than August 15.

### **B. Certification Appendix**

1. The NYS Office of the Attorney General requires that a Certification Appendix be completed by non-governmental entities that enter into Legislative Member initiative contracts with state agencies.
2. If the prospective contractor is a nongovernmental entity, a Certification Appendix must be completed and returned.
3. Contractor hereby acknowledges that, where required, the Certification Appendix is made a part of this contract by reference hereto and that any misrepresentation of fact in the Certification Appendix may result in termination of this contract.

## ATTACHMENT B BUDGET

### B-1 Budget Summary Sheet

Budget Category	Budget Amount			MWBE Applicable
A. Salaries, Wages and Fringe	\$			N/A
B. Travel	\$			N/A
C. Supplies/Materials	\$			\$
D. Equipment	\$			\$
E. Contractual Services	\$			\$
F. Other	\$			\$
Contract Budget Total	\$			\$
<b>MWBE Utilization Goal</b>	<b>MBE %</b>	<b>WBE %</b>	<b>Total %</b>	<b>Total Goal</b>
	%	%	%	

The total of your budget must equal the amount of your allocation as shown on the contract face page.

The budget is intended to show the items of expense which will be funded under this contract. Please do not show the entire cost of the project if it exceeds the amount of funding provided by this contract.

Contracts totaling \$25,000.01 or more must calculate MWBE utilization when purchasing goods, commodities and contractual services, prior to contract execution.

Contracts totaling \$25,000.00 or less are not subject to an MWBE Goal. Grantees are encouraged to include MWBE firms in all purchasing.

## B-2 Budget Detail Sheet

### A. SALARIES, WAGES AND FRINGE

Estimated Total Number of Amount Budgeted

Name/Title	Annual Salary	Effort (%) (percentage worked on project)	Total charged to this contract

(ATTACH ADDITIONAL SHEETS IF NEEDED)

Fringe Rate: %	Total Salaries \$
Total Fringe: (Rate x Salaries)	\$

**TOTAL SALARIES, WAGES AND FRINGE** \$ \_\_\_\_\_

### B. TRAVEL

Show the calculation for travel costs (NYS travel ONLY). Include a brief statement in support of the purpose of the travel, destination, and duration (daily vs. overnight trips) of such travel. (Example: travel start location and destination and # miles X rate/mile/per trip).

**TOTAL TRAVEL** \$ \_\_\_\_\_

(ATTACH ADDITIONAL SHEETS IF NEEDED)

### B-3 Budget Detail Sheet

#### C. SUPPLIES/MATERIALS

Use general categories such as office supplies, printing supplies, small tools, building materials and like category descriptions. List the description of the supply category and the costs associated *for each line*.

**TOTAL SUPPLIES/MATERIALS**    \$ \_\_\_\_\_

(ATTACH ADDITIONAL SHEETS IF NEEDED)

#### D. EQUIPMENT

List EACH item of equipment that exceeds \$200 per item and has a useful life of one year or more. Indicate total cost for each piece of equipment. Do not include supplies with an individual cost of less than \$200.

**TOTAL EQUIPMENT**    \$ \_\_\_\_\_

(ATTACH ADDITIONAL SHEETS IF NEEDED)

## B-4 Budget Detail Sheet

### E. CONTRACTUAL SERVICES

This category includes items such as telephone, postage, rent, utilities, rental or repairs to equipment, lease of equipment, contracted services and contracted construction costs.

**TOTAL CONTRACTUAL SERVICES** \$ \_\_\_\_\_  
(ATTACH ADDITIONAL SHEETS IF NEEDED)

### F. OTHER

Identify and justify costs that many not be budgeted in the categories listed above. Include cost for each item.

**TOTAL OTHER** \$ \_\_\_\_\_  
(ATTACH ADDITIONAL SHEETS IF NEEDED)

**ATTACHMENT C**  
**Program Work Plan**

**Project Name:**  
**Contractor's SFS Name:**  
**Contract Period:**

**NARRATIVE:**

(Must be completed for all project types and payment options.)

(ATTACH SEPARATE SHEETS AS NECESSARY)





**ATTACHMENT D**  
**PAYMENT AND REPORTING SCHEDULE**

**I. PAYMENT PROVISIONS**

In full consideration of contract services to be performed the State Agency agrees to pay and the Contractor agrees to accept a sum not to exceed the amount noted on the Face Page hereof. All payments shall be in accordance with the budget contained in the applicable Attachment B form (Budget), which is attached hereto.

**A. Advance Payment, Initial Payment and Recoupment Language (if applicable):**

1. The State Agency will make an advance payment to the Contractor, during the initial period, in the amount of \_\_\_\_\_ twenty five \_\_\_\_\_ percent (25.00 %) the budget as set forth in the most recently approved applicable Attachment B form (Budget).
2. The State Agency will make an initial payment to the Contractor in the amount of \_\_\_\_\_ percent (\_\_\_\_%) of the annual budget as set forth in the most recently approved applicable Attached B form (Budget). This payment will be no later than \_\_\_\_\_ days from the beginning of the budget period.
3. Scheduled advance payments shall be due in accordance with an approved payment schedule as follows:

Period: \_\_\_\_\_ Amount: \_\_\_\_\_ Due Date: \_\_\_\_\_

Period: \_\_\_\_\_ Amount: \_\_\_\_\_ Due Date: \_\_\_\_\_

Period: \_\_\_\_\_ Amount: \_\_\_\_\_ Due Date: \_\_\_\_\_

Period: \_\_\_\_\_ Amount: \_\_\_\_\_ Due Date: \_\_\_\_\_

4. Recoupment of any advance payment(s) or initial payment(s) shall be recovered by crediting (33.30%) of subsequent claims and such claims will be reduced until the advance is fully recovered within the contract period.

**B. Interim and/or Final Claims for Reimbursement**

Claiming Schedule (*select applicable frequency*):

☒ Quarterly Reimbursement  
Due date 45 days after a quarter \_\_\_\_\_

☐ Monthly Reimbursement  
Due date \_\_\_\_\_

☐ Biannual Reimbursement  
Due date \_\_\_\_\_

- ☐ Fee for Service Reimbursement  
Due date \_\_\_\_\_
- ☐ Rate Based Reimbursement  
Due date \_\_\_\_\_
- ☐ Fifth Quarter Reimbursement  
Due date \_\_\_\_\_
- ☐ Milestone/Performance Reimbursement  
Due date/Frequency \_\_\_\_\_
- ☐ Scheduled Reimbursement  
Due date/Frequency \_\_\_\_\_
- ☐ Interim Reimbursement as Requested by Contractor \_\_\_\_\_

## II. REPORTING PROVISIONS

### A. Expenditure-Based Reports *(select the applicable report type):*

☒ Narrative/Qualitative Report

The Contractor will submit, on a quarterly basis, not later than 30 days from the end of the quarter, the report described in Section III(G)(2)(a)(i) of the Master Contract

☐ Statistical/Quantitative Report

The Contractor will submit, on a quarterly basis, not later than \_\_\_\_\_ days from the end of the quarter, the report described in Section III(G)(2)(a)(ii) of the Master Contract.

☒ Expenditure Report

The Contractor will submit, on a quarterly basis, not later than 45 days after the end date for which reimbursement is being claimed, the report described in Section III(G)(2)(a)(iii) of the Master Contract.

☒ Final Report

The Contractor will submit the final report as described in Section III(G)(2)(a)(iv) of the Master Contract, no later than 45 days after the end of the contract period.

☐ Consolidated Fiscal Report (CFR)<sup>1</sup>

The Contractor will submit the CFR on an annual basis, in accordance with the time frames designated in the CFR manual. For New York City contractors, the due date shall be May 1

<sup>1</sup> The Consolidated Fiscal Reporting System is a standardized electronic reporting method accepted by Office of Alcoholism & Substance Services, Office of Mental Health, Office of Persons with Developmental Disabilities and the State Education Department, consisting of schedules which, in different combinations, capture financial information for budgets, quarterly and/or mid-year claims, an annual cost report, and a final claim. The CFR, which must be submitted annually, is both a year-end cost report and a year-end claiming document.

of each year; for Upstate and Long Island contractors, the due date shall be November 1 of each year.

## **B. Progress-Based Reports**

### **1. Progress Reports**

The Contractor shall provide the report described in Section III(G)(2)(b)(i) of the Master Contract in accordance with the forms and in the format provided by the State Agency, summarizing the work performed during the contract period (see Table 1 below for the annual schedule).

### **2. Final Progress Report**

Final scheduled payment will not be due until \_\_\_\_\_ days after completion of agency's audit of the final expenditures report/documentation showing total grant expenses submitted by vendor with its final invoice. Deadline for submission of the final report is \_\_\_\_\_. The agency shall complete its audit and notify vendor of the results no later than \_\_\_\_\_. The Contractor shall submit the report not later than \_\_\_\_\_ days from the end of the contract.

## **C. Other Reports**

The Contractor shall provide reports in accordance with the form, content and schedule as set forth in Table 1.

**TABLE I – REPORTING SCHEDULE**

PROGRESS REPORT #	PERIOD COVERED	DUE DATE

### **III. SPECIAL PAYMENT AND REPORTING PROVISIONS**

## **DISCLOSURE & ACCOUNTABILITY CERTIFICATIONS \*\***

### **I. No Conflict of Interest**

Except as otherwise fully disclosed in a separate appendix attached to this Contract, the Contractor affirms, to the best of its knowledge, under penalty of perjury, that neither the Sponsoring Member(s) nor any Related Parties to Sponsoring Member(s) has any financial interest, direct or indirect, in the Contractor, or has received or will receive any financial benefit, either directly or indirectly, from the Contractor or its Related Parties from the matters contained in this Contract.

### **II. Good Standing**

Except as otherwise fully disclosed in a separate appendix attached to this Contract, the Contractor affirms, to the best of its knowledge, under penalty of perjury, that:

(A) At no time during the past five years has the Contractor or any of the Contractor's Affiliates or principal owners: (1) been barred by a government agency from entering into any government contract as a result of inappropriate activity or unlawful conduct; (2) been declared in default and/or terminated for cause of any government contract; (3) received an overall unsatisfactory performance rating from any government agency on any contract; (4) been convicted or charged with a felony or misdemeanor; (5) failed to file federal, state or city tax returns or pay taxes owed; or (6) (to the extent the entity is a charity or not-for-profit organization) failed to file any and all required forms with any government agency regulating the entity;

(B) At no time within the last seven years has the Contractor or any of the Contractor's Affiliates or principal owners been involved in any bankruptcy proceeding (whether or not closed);

\*\* for contracts in the amount of \$50,000 or above.

- (C) Neither the Contractor, nor any of the Contractor's Related Parties, has paid any third party or agent, either directly or indirectly, to aid in the securing of this Contract.

To the extent the answer to any of these questions is "yes," please describe the events and circumstances in an attached appendix.

### **III. Funds Used Solely for Public Purpose**

The Contractor affirms, to the best of its knowledge, under penalty of perjury, that all funds expended pursuant to the terms of this Contract are intended to be used and will be used solely and directly for the public purpose or public purposes specified elsewhere in this Contract.

### **IV. Sponsoring Member(s)**

The Sponsoring Member(s) of the local legislative initiative pursuant to which this Contract will be funded is/are \_\_\_\_\_.

### **V. Definitions**

As used herein in this Certification Appendix:

- (1) "Affiliate" means any person or entity that directly or indirectly controls or is controlled by or is under common control or ownership with the specified party.
- (2) "Contractor" means the party or parties receiving funds pursuant to the terms of this Contract.
- (3) "Related Party" means: (i) the party's spouse, (ii) natural or adopted descendants of the party or of the party's spouse, (iii) any sibling of the party or of the party's spouse, (iv) any person sharing the home of any of the foregoing, (v) any staff member, employee, director, officer or agent of the party, and (vi) Affiliates or subcontractors of the party.

\*\* for contracts in the amount of \$50,000 or above.



- (4) "Sponsoring Member(s)" means the sponsoring Assembly Member or State Senator that sponsored the grant related to this Contract.

The undersigned recognizes that this Certification Appendix is submitted for the express purpose of assisting the State of New York and political subdivisions to make a determination regarding the award of a contract or approval of a subcontract; acknowledges that the State of New York and political subdivisions may in their discretion, by means which they choose, verify the truth and accuracy of all statements made herein; acknowledges that knowing or intentional submission of false or misleading information may constitute a felony under Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.45; and states that the information submitted in this Certification Appendix and any attached appendix is true, accurate and complete.

\_\_\_\_\_  
Name of Contractor

\_\_\_\_\_  
Signature of Authorized Official/Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Typed Copy of Signature

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Title

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20

\_\_\_\_\_  
Notary Public

\*\* for contracts in the amount of \$50,000 or above.



# 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 -1763

**Agenda Date:** 12/10/2025

**Agenda #:** 7.

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

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, authorizing the City Comptroller to Establish a Custodial Account for the Development Project Located at 115 MacQuesten Parkway - (funds deposited into the custodial account shall be disbursed solely for payments owed to Labella Associates Inc. for services rendered in accordance with Proposal P2505704.01 and the terms of Exhibit A); be, and the same is hereby approved.

### **City Council:**

#### **AN ORDINANCE AUTHORIZING THE CITY COMPTROLLER TO ESTABLISH A CUSTODIAL ACCOUNT FOR THE DEVELOPMENT PROJECT LOCATED AT 115 SOUTH MACQUESTEN PARKWAY**

**Whereas**, in correspondence dated November 19, 2025, the Commissioner of the Department of Buildings formally requested authorization for the Comptroller to establish a custodial account for the development project located at 115 South MacQuesten Parkway, Mount Vernon, New York; and

**Whereas**, the City Comptroller requires authorization from the City Council to establish custodial accounts for the proper management of funds related to development projects within the City of Mount Vernon; and

**Whereas**, the developers of the property located at 115 South MacQuesten Parkway are required to fund the City's construction inspection services during the construction phase of the project; and

**Whereas**, Labella Associates Inc. has been engaged to provide construction inspection services as set forth in its proposal, P2505704.01, dated November 11, 2025, and executed on November 17, 2025, in accordance with the terms and conditions contained in Exhibit A; and

**Whereas**, the custodial account is necessary to ensure the timely and proper payment of inspection services, to maintain compliance with City requirements, and to support an aggressive construction schedule; and

**Whereas**, the applicant/owner of the project is 115 MacQuesten Development LLC, with Dan Brenner serving as Authorized Signatory, located at 1228 Euclid Avenue, 4th Floor, Cleveland, OH 44115; and

**Whereas**, the custodial account will remain active until all construction inspections have been successfully completed and final inspection reports have been submitted to the City's Building Department; now therefore,

**THE CITY COUNCIL OF THE CITY OF MOUNT VERNON HEREBY ORDAINS:**

**Section 1. Authorization to Establish Custodial Account.** The City Comptroller is hereby authorized and directed to establish a custodial account for the development project located at:

115 South MacQuesten Parkway, Mount Vernon, New York.

**Section 2. Purpose of Account.** The custodial account shall serve as a holding account to receive funds from the project developer for the payment of construction inspection services performed by Labella Associates Inc. throughout the construction phase.

**Section 3. Disbursement of Funds.** Funds deposited into the custodial account shall be disbursed solely for payments owed to Labella Associates Inc. for services rendered in accordance with Proposal P2505704.01 and the terms of Exhibit A.

**Section 4. Duration of Account.** The custodial account shall remain active until the developer fully completes all required construction inspections and the Building Department receives all final inspection reports.

**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, NY**  
**DEPARTMENT OF BUILDINGS**

**SHAWYN PATTERSON-HOWARD**  
Mayor

City Hall – One Roosevelt Square, Room 210  
Mount Vernon, NY 10550

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

November 19, 2025

Honorable City Council Member  
City of Mount Vernon  
1 Roosevelt Square  
Mount Vernon, NY 10550

**Subject: Request for Authorization to Establish Custodial Account – 115 South MacQuesten Parkway**

This letter respectfully requests that the City Council approve legislation to allow the City Comptroller to establish a custodial account to support the management of funds for the development project below. This custodial account will serve as a holding account for payment to the city's construction inspection services consultant (Labella Associates Inc.) during the construction, up until the developers of the project successfully complete their required construction inspection, and final inspection reports are submitted to the Building Department. The property for the custodial account is as follows:

**115 South MacQuesten Parkway**


**Project Description:** Labella shall perform the services set forth and described in Labella's proposal, P2505704.01 dated November 11, 2025 and executed on November 17, 2025, in accordance with the terms and condition of the attached Exhibit A.

**Applicant/Owner Information:** Dan Brenner, Authorized Signatory for 115 MacQuesten Development LLC,  
1228 Euclid Ave, 4th Floor Cleveland, OH 44115

**Contact person:** Dan Brenner 201 869-6001

The custodial account will be necessary to ensure proper management of funds and be in compliance with all city requirements. This measure is necessary to facilitate payments on time to the consultant allowing this aggressive construction schedule to be met.

Sincerely,

  
Patrick G. Holder  
Commissioner of Buildings



# 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 -1754

**Agenda Date:** 11/25/2025

**Agenda #:** 8.

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

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, authorizing the Recension the Recommendation for the Sale of City-Owned Property Located at 328 South 1st Avenue - (Parcel ID: 169.31.3120.10) - (Valon Nikci of Bedrock Company, for \$305,000.00 is hereby rescinded in its entirety); be, and the same is hereby approved.

### **City Council:**

#### **AN ORDINANCE RESCINDING THE RECOMMENDATION FOR THE SALE OF CITY-OWNED PROPERTY LOCATED AT 328 SOUTH 1ST AVENUE (PARCEL ID: 169.31.3120.10)**

**Whereas**, in correspondence dated November 12, 2025, the Secretary of the Real Estate Committee formally requested that the City Council rescind Ordinance No. 22, adopted on October 8, 2025, which authorized the sale of the City-owned property located at 328 South 1st Avenue, Mount Vernon, NY (Parcel ID: 169.31.3120.10), for the amount of \$305,000.00; and

**Whereas**, by correspondence dated November 12, 2025, it was reported that the previously stated sum of \$305,000.00 was incorrect, and that Mr. Nikci's confirmed bid for the property is in fact \$138,000.00; and

**Whereas**, the subject property was acquired by the City of Mount Vernon through foreclosure for non-payment of taxes; and

**Whereas**, the City Council's Real Estate Committee reviewed all documentation pertaining to the property at its meeting on October 31, 2025, and by unanimous vote recommended that the prior offer be rescinded in light of the corrected bid and the circumstances surrounding the acquisition; and

**Whereas**, the City Council now finds it necessary and appropriate to rescind its prior recommendation concerning the conveyance of this City-owned parcel to ensure accuracy, transparency, and compliance with proper disposition procedures;

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Mount Vernon, in the State of New York, as follows:

**Section 1. Rescission of Prior Recommendation.** The recommendation to approve the sale of the City-owned property located at 328 South 1st Avenue, Mount Vernon, NY (Parcel ID:

169.31.3120.10), for \$305,000.00 is hereby rescinded in its entirety.

**Section 2. Basis for Rescission.** This rescission is based upon the confirmation that the accurate bid submitted by Valon Nikci of Bedrock Company is \$138,000.00, as well as the findings of the Real Estate Committee following its October 31, 2025, review.

**Section 3. Further Action.** The City Council reserves the right to reconsider the disposition of the property upon submission of a corrected and complete recommendation in accordance with applicable laws, procedures, and City policies governing the sale of City-owned real property.

**Section 4. Severability.** If any clause, sentence, paragraph, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof.

**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.  
Real Estate Committee – 2025  
City Hall, One Roosevelt Square  
Mount Vernon, NY 10550

**REAL ESTATE COMMITTEE**

Danielle Browne – City Council President  
Dr. Darren Morton – Chairman  
Stephanie Vanderpool – Co-Chair  
Antoinette Anderson - Secretary

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November 12, 2025

Honorable City Council Members  
City Of Mount Vernon  
1 Roosevelt Square  
Mount Vernon, NY 10552

Re: *Rescind the recommend of the Sale of City-Owned Properties Located at 328 South 1st Avenue, Mount Vernon, NY Parcel ID: 169.31.3120.10*

A letter dated October 1, 2025, requested that the City Council consider and approve the Mayor's authorization to convey Parcel ID: 169.31.3120.10, located at 328 South 1st Avenue, to Valon Nikci of Bedrock Company for the total sum of \$305,000 (Three Hundred Five Thousand Dollars).

This letter, dated November 12, 2025, respectfully requests that the City Council rescind that recommendation. The amount of \$305,000 has been revised to reflect Mr. Nikci's confirmed bid for the property, which is \$138,000 (One Hundred Thirty-Eight Thousand Dollars).

This property was acquired by the City through foreclosure for non-payment of taxes. All documentation pertaining to the property was reviewed by the Real Estate Committee on October 31, 2025. By unanimous vote, the Committee approved a recommendation to rescind the prior offer.

If this request meets with the City Council's approval, I respectfully ask that the necessary legislation be enacted to reflect this action.

Thank you for your attention to this matter.

Sincerely,

*Antoinette Anderson*

Secretary, Real Estate Committee



# 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 -1767

**Agenda Date:** 12/10/2025

**Agenda #:** 9.

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

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, authorizing the Sale and Conveyance of City-Owned Property Located at 328 South 1st Avenue ((Parcel ID: 169.31.3120.10) to Webb Development Services Corp. - (for the purchase price of \$200,000; the proceeds from the sale of the Property shall be deposited into the appropriate City account as determined by the Comptroller); be, and the same is hereby approved.

### **City Council:**

**AN ORDINANCE AUTHORIZING THE SALE  
AND CONVEYANCE OF CITY-OWNED PROPERTY  
LOCATED AT 328 SOUTH 1ST AVENUE (PARCEL  
ID: 169.31.3120.10) TO WEBB DEVELOPMENT  
SERVICES CORP.**

**Whereas**, in correspondence dated November 21, 2025, the Real Estate Committee - 2025 formally requested authorization for the Mayor of the City of Mount Vernon to convey the City-owned property located at 328 South 1st Avenue, Mount Vernon, NY, identified as Parcel ID 169.31.3120.10, to Webb Development Services Corp. for the purchase price of \$200,000; and

**Whereas**, the City of Mount Vernon is the owner of the real property located at 328 South 1st Avenue, Mount Vernon, New York, designated as Parcel ID 169.31.3120.10 ("the Property"); and

**Whereas**, the Property was acquired by the City through foreclosure due to non-payment of real property taxes; and

**Whereas**, the City, through its Real Estate Committee, reviewed all offers received for the Property during a duly convened meeting on November 21, 2025; and

**Whereas**, following its review, the Real Estate Committee unanimously determined that the offer submitted by Alonzo Webb of Webb Development Services Corp. in the amount of \$200,000 (Two Hundred Thousand Dollars) constituted the highest responsible bid and was fully compliant with the City's bidding procedures; and

**Whereas**, the proposed sale of the Property is in the best interest of the City in order to return the parcel to productive use and contribute to the City's tax base; now, therefore,



**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mount Vernon, in the State of New York, as follows:

**Section 1. Authorization to Convey Property.** The Mayor of the City of Mount Vernon is hereby authorized and directed to execute any and all documents necessary to convey the City-owned property located at 328 South 1st Avenue, Mount Vernon, NY, identified as Parcel ID 169.31.3120.10, to Webb Development Services Corp. for the purchase price of \$200,000.

**Section 2. Form of Documents.** All closing documents, including but not limited to the deed, transfer forms, and affidavits, shall be approved as to form by the City's Corporation Counsel prior to execution.

**Section 3. Conditions of Sale.** The conveyance shall be made on an "as-is, where-is" basis, without warranties or representations by the City, except as may be expressly stated in the final purchase agreement approved by Corporation Counsel.

**Section 4. Deposit of Proceeds.** The proceeds from the sale of the Property shall be deposited into the appropriate City account as determined by the Comptroller.

**Section 5. Effective Date.** This Ordinance shall take effect immediately upon its passage, approval by the City Council, and subsequent approval by the Board of Estimate & Contract in accordance with the laws of the City of Mount Vernon and the State of New York.



CITY OF MOUNT VERNON, N.Y.  
Real Estate Committee – 2025  
City Hall, One Roosevelt Square  
Mount Vernon, NY 10550

**REAL ESTATE COMMITTEE**

Danielle Browne – City Council President  
Dr. Darren Morton – Chairman  
Stephanie Vanderpool – Co-Chair  
Antoinette Anderson - Secretary

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November 21, 2025

Honorable City Council Members  
City Of Mount Vernon  
1 Roosevelt Square  
Mount Vernon, NY 10552

Re: Recommend the Sale of City-Owned Properties Located at 328 South 1st Avenue, Mount Vernon, NY  
Parcel ID: 169.31.3120.10

Dear Honorable Council Members,

I respectfully submit this request for your consideration and approval to authorize the Mayor to convey Parcel ID: 169.31.3120.10, located at 328 South 1st Avenue, to Alonzo Webb of Webb Development Services Corp. for the total sum of \$200,000 (Two Hundred Thousand).

This property was acquired by the City through foreclosure for non-payment of taxes. All offers on the property were reviewed by the Real Estate Committee on November 21, 2025. By unanimous vote, Mr. Webb was identified as the highest bidder and found to be in full compliance with the bidding process.

If this request meets with the City Council's approval, I respectfully ask that the necessary legislation be enacted to reflect this action. Thank you for your attention to this matter.

Sincerely,

*Antoinette Anderson*

Secretary, Real Estate Committee



# 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 -1768

**Agenda Date:** 12/10/2025

**Agenda #:** 10.

### Board of Estimate & Contract:

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, authorizing the Sale of City-Owned Property Located at 146 South 13th Avenue, Mount Vernon, NY - (Parcel ID: 169.21.3014.17, to Ms. Jeannette Garcia for the purchase price of \$200,000 at closing, along with any and all associated closing costs, filing fees, and taxes customarily borne by the purchaser); be, and the same is hereby approved.

### City Council:

#### **AN ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY LOCATED AT 146 SOUTH 13TH AVENUE, MOUNT VERNON, NY - (PARCEL ID: 169.21.3014.17)**

**Whereas**, in correspondence dated November 21, 2025, the Real Estate Committee - 2025 formally requested authorization for the Mayor of the City of Mount Vernon to execute all documents and take all necessary steps to convey the City-owned property located at 146 South 13th Avenue, Mount Vernon, New York (Parcel ID: 169.21.3014.17) to Ms. Jeannette Garcia for the purchase price of \$200,000, subject to approval by the Corporation Counsel; and

**Whereas**, the City of Mount Vernon is the owner of real property located at 146 South 13th Avenue, identified on the tax map as Parcel ID: 169.21.3014.17 ("the Property"); and

**Whereas**, the Property was acquired by the City through foreclosure due to non-payment of taxes; and

**Whereas**, the Property was made available for purchase pursuant to the City's established disposition and bidding procedures; and

**Whereas**, all submitted offers for the Property were reviewed by the Real Estate Committee at its meeting held on November 21, 2025; and

**Whereas**, following its review, the Real Estate Committee unanimously determined that the offer submitted by Ms. Jeannette Garcia, in the amount of Two Hundred Thousand Dollars (\$200,000), constituted the highest responsible bid and fully complied with all requirements of the bidding process; and

**Whereas**, it is in the best interest of the City of Mount Vernon to authorize the conveyance of the

Property to Ms. Garcia for the total sum of \$200,000;

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mount Vernon, New York, as follows:**

**Section 1. Authorization of Sale.** The Mayor is hereby authorized to execute all documents and take all necessary steps to convey the City-owned property located at 146 South 13th Avenue, Mount Vernon, New York (Parcel ID: 169.21.3014.17) to Ms. Jeannette Garcia for the purchase price of \$200,000, subject to approval by the Corporation Counsel.

**Section 2. Form of Conveyance.** The conveyance shall be made by Quitclaim Deed or such other form of deed as approved by the Corporation Counsel of the City of Mount Vernon.

**Section 3. Payment of Purchase Price.** The purchaser shall remit the full purchase price of \$200,000 at closing, along with any and all associated closing costs, filing fees, and taxes customarily borne by the purchaser.

**Section 4. Conditions of Sale.** The Property shall be conveyed “as is,” with no representations or warranties as to condition, zoning, or fitness for any particular use, except as expressly stated in the closing documents. The purchaser shall be responsible for securing all required permits and complying with all applicable federal, state, and local regulations.

**Section 5. Effective Date.** This Ordinance shall take effect immediately upon its passage, approval by the City Council, and subsequent approval by the Board of Estimate & Contract in accordance with the laws of the City of Mount Vernon and the State of New York.



CITY OF MOUNT VERNON, N.Y.  
Real Estate Committee – 2025  
City Hall, One Roosevelt Square  
Mount Vernon, NY 10550

**REAL ESTATE COMMITTEE**

Danielle Browne – City Council President  
Dr. Darren Morton – Chairman  
Stephanie Vanderpool – Co-Chair  
Antoinette Anderson - Secretary

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November 21, 2025

Honorable City Council Members  
City Of Mount Vernon  
1 Roosevelt Square  
Mount Vernon, NY 10552

Re: Recommend the Sale of City-Owned Properties Located at 146 South 13<sup>th</sup> Avenue, Mount Vernon, NY  
Parcel ID: 169.21.3014.17

Dear Honorable Council Members,

I respectfully submit this request for your consideration and approval to authorize the Mayor to convey Parcel ID: 169.21.3014.17, located at 146 South 13th Avenue, to Jeannette Garcia for the total sum of \$200,000 (Two Hundred Thousand).

This property was acquired by the City through foreclosure for non-payment of taxes. All offers on the property were reviewed by the Real Estate Committee on November 21, 2025. By unanimous vote, Ms. Garcia was identified as the highest bidder and found to be in full compliance with the bidding process.

If this request meets with the City Council's approval, I respectfully ask that the necessary legislation be enacted to reflect this action. Thank you for your attention to this matter.

Sincerely,

*Antoinette Anderson*

Secretary, Real Estate Committee



# 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 -1765

**Agenda Date:** 12/10/2025

**Agenda #:** 15.

### City Council:

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT VERNON ADOPTING A NEGATIVE DECLARATION PURSUANT TO SEQRA REGARDING THE ADOPTION OF THE ENVISION MOUNT VERNON COMPREHENSIVE PLAN**

**WHEREAS**, the City of Mount Vernon has the authority and responsibility to undertake comprehensive planning in the City and to regulate land use for the purpose of protecting the public health, safety, and general welfare of its citizens; and

**WHEREAS**, in 2022, recognizing the need to update the 1968 Comprehensive Plan, and in accordance with New York General City Law (“GCL”) Section 28-a, the City Council appointed a Comprehensive Plan Advisory Committee (“Committee”), comprised of a diverse group of community stakeholders, for the purposes of assisting City staff (including the Department of Planning and Community Development) and a consultant team with preparing a new Comprehensive Plan for the City entitled Envision Mount Vernon (“Comprehensive Plan”); and

**WHEREAS**, following an extensive community engagement process, which involved numerous conversations with the community, meetings, working sessions, interviews, roundtables, public workshops, and digital engagement, the Committee, City Planning staff, and the City’s consultant team prepared a draft Comprehensive Plan; and

**WHEREAS**, the adoption of the Comprehensive Plan is classified as a Type I Action (“Proposed Action”) under the New York State Environmental Quality Review Act and its implementing regulations, 6 N.Y.C.R.R. Part 617 (“SEQRA”); and

**WHEREAS**, the Proposed Action will not require permits and approvals from any other local, regional, State, or Federal agencies prior to adoption, and coordinated SEQRA review is, therefore, not required; and

**WHEREAS**, on September 24, 2025, the City Council designated itself as Lead Agency for the review of the Comprehensive Plan under SEQRA pursuant to 6 N.Y.C.R.R. Section 617.6(b)(1); and

**WHEREAS**, the City Council, together with its consultants and City Planning staff, initially prepared Parts 1 and 2 of the Full Environmental Assessment Form in support of the adoption of the Comprehensive Plan (collectively, “EAF”); and

**WHEREAS**, City Planning staff and the City Council’s consultants assisted the City Council in its preparation and review of the EAF; and

**WHEREAS**, pursuant to Section 28-a(6)(a) of the GCL, on September 24, 2025, the City Council referred the Comprehensive Plan to the City of Mount Vernon Planning Board for its review and recommendation prior to its adoption; and

**WHEREAS**, pursuant to Section 28-a(6)(b) of the GCL, and Section 239-m of the New York General Municipal Law (“GML”), on September 24, 2025, the City Council referred the Comprehensive Plan to the Westchester County Planning Board; and

**WHEREAS**, City Planning staff and the City Council’s consultants presented a draft of the Comprehensive Plan at a meeting of the Westchester County Planning Board on October 7, 2025; and

**WHEREAS**, the City Planning Board discussed the Comprehensive Plan at its meeting on October 8, 2025; and

**WHEREAS**, the City Council conducted a duly noticed Public Hearing for the draft Comprehensive Plan on October 8, 2025, at 7:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, the City Council conducted a duly noticed continued Public Hearing for the draft Comprehensive Plan on October 14, 2025, at 6:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, by letter dated October 21, 2025, the Westchester County Planning Board, among other things, applauded the City’s efforts to update the Comprehensive Plan, and provided certain comments for the Council to consider as it finalizes the Plan and works toward its implementation, which comments were carefully considered and integrated into the final draft Comprehensive Plan where appropriate; and

**WHEREAS**, the Westchester County Planning Board also commended the City for the numerous recommendations that are consistent with the County Planning Board’s long-range planning policies, and for engaging in significant community and stakeholder outreach throughout the process; and

**WHEREAS**, the Westchester County Planning Board further expressed that it is “encouraged that the City is considering a comprehensive rewrite of the zoning code following the adoption of this Plan;” and

**WHEREAS**, by Memo dated October 27, 2025, the City Planning Board recommended adoption of the Comprehensive Plan, and offered comments on the Comprehensive Plan, which comments were carefully considered and integrated into the final draft Comprehensive Plan where appropriate; and

**WHEREAS**, the City Council carefully considered all the oral and written comments on the Comprehensive Plan, and worked together with City Planning staff and its consultants to revise the Comprehensive Plan to address certain comments as the Council deemed appropriate; and

**WHEREAS**, on October 30, 2025, the City Council posted an updated draft Comprehensive

Plan on the City's website; and

**WHEREAS**, the City Council conducted a duly noticed continued Public Hearing for the updated draft Comprehensive Plan on November 10, 2025, at 6:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, the City Council has carefully considered all oral and written comments submitted by members of the public, the Planning Board, and the Westchester County Planning Board; and

**WHEREAS**, the Proposed Action does not involve the adoption of any amendments to the City Zoning Code or Zoning Map, and no proposed draft zoning ordinance has been prepared or reviewed by the City Council at this time; and

**WHEREAS**, the Proposed Action also does not involve the authorization for any specific land development activities or construction in the City; and

**WHEREAS**, although the Proposed Action does not involve the adoption of any zoning ordinance, the City is aware of three proposed projects for which rezoning petitions have been submitted to the City Council and are pending as of this date: (i) proposal by Grace Baptist Church to amend the Zoning Code and Zoning Map to facilitate the development of a mixed use residential and commercial project located at 70 South Sixth Avenue, 47 Second Street West, and 60 South Sixth Avenue; (ii) proposal by Sammy Properties, Inc. to amend the Zoning Map by applying the RMF-SC Senior Citizen Housing Floating Overlay district to an approximately 0.43-acre property located at 505 Gramatan Avenue; and (iii) proposal by West First Professional Plaza LLC for certain zoning text amendments in connection with a proposed multi-family apartment building at 22 West First Street (collectively, "Existing Projects"); and

**WHEREAS**, the City Council is in the process of conducting an environmental review under SEQRA for the Existing Projects; and

**WHEREAS**, Section 617.2(ah) of the SEQRA Regulations defines segmentation as "the division of the environmental review of an action such that various activities or stages are addressed under this Part as though they were independent, unrelated activities, needing individual determinations of significance;" and

**WHEREAS**, Section 617.3(g)(l) of the SEQRA Regulations further states that if a lead agency believes that circumstances warrant a segmented review, it must clearly state in its determination of significance, and any subsequent EIS, the supporting reasons and must demonstrate that such review is clearly no less protective of the environment; and

**WHEREAS**, the City Council, together with City Planning staff and its consultants, and in compliance with its duties under SEQRA as Lead Agency, has carefully reviewed and considered the entire record of the Proposed Action, including the draft Comprehensive Plan, all materials submitted and comments received, the EAF, the County Planning Board recommendations, and the City Planning Board recommendations, which when considered together, constitute the record which serves as the basis for a SEQRA determination, and has prepared Part 3 of the EAF, including the EAF Part 3 Supplement, dated November 25, 2025 ("EAF Supplement"), which contains the City Council's analysis of the Proposed Action as compared to the SEQRA criteria determining significance (6



NYCRR Section 617.7(c)) and its reasoned determination as to the effects of the Proposed Action on the environment; and

**WHEREAS**, the City Council has thoroughly analyzed the identified relevant areas of environmental concern to determine if the Proposed Action may have a potentially significant adverse impact on the environment; NOW, THEREFORE, BE IT

**RESOLVED**, that the City Council confirms that it is acting as Lead Agency for the environmental review of the Proposed Action; and BE IT FURTHER

**RESOLVED**, that, pursuant to 6 N.Y.C.R.R. Part 617, the City Council determines after due discussion and deliberation that the Proposed Action does not have the potential to result in any significant adverse environmental impacts, and that an environmental impact statement is not required, for the reasons set forth in the attached EAF Supplement and Negative Declaration; and BE IT FURTHER

**RESOLVED**, that the City Council adopts and incorporates herein by reference the attached EAF Supplement and Negative Declaration for the Proposed Action under SEQRA; and BE IT FURTHER

**RESOLVED**, that this Resolution and the attached EAF Supplement and Negative Declaration shall constitute the City Council's evaluation of the magnitude and importance of impacts of the Proposed Action and reasons in support of the determination of significance required under Part 3 of the EAF; and BE IT FURTHER

**RESOLVED**, that for the reasons stated in this Resolution and the EAF Supplement, the City Council finds that segmenting the environmental review of the Existing Projects, as well as potential future amendments to the City Zoning Code and Zoning Map, from the review of the Comprehensive Plan is warranted under 6 N.Y.C.R.R. Section 617.3(g)(1) for the following reasons:

1. The Comprehensive Plan is a City-wide legislative action only. It does not commit the City to any particular type of development or specific development plan.

2. The environmental review of the Existing Projects will address all areas of concern that SEQRA requires for those individual Projects in accordance with SEQRA. It is appropriate that the reviews be conducted in the context of the site-specific projects rather than more generally as part of the Comprehensive Plan review. It is more protective of the environment to study the actual plans for the Existing Projects as part of their individual project reviews, rather than as part of a SEQRA review for a generic Comprehensive Plan, which is a theoretical policy document.

3. The Comprehensive Plan does not commit the City Council to the adoption of any specific zoning amendments. The Council will address all areas of concern that SEQRA requires for all future comprehensive and/or site-specific zoning amendments at the time they are considered for adoption; and BE IT FURTHER

**RESOLVED**, that the City Council hereby issues a Negative Declaration for the Proposed Action; and BE IT FURTHER

**RESOLVED**, that the City Clerk shall arrange to fulfill the filing and distribution requirements for the Negative Declaration as required by the SEQRA regulations in 6 N.Y.C.R.R. Section 617.12, and to make all other filings required by law; and BE IT FURTHER

**RESOLVED**, that this Resolution shall take effect immediately.

**A RESOLUTION OF THE CITY OF MOUNT VERNON CITY COUNCIL  
ADOPTING A NEGATIVE DECLARATION PURSUANT TO SEQRA  
REGARDING THE ADOPTION OF THE  
ENVISION MOUNT VERNON COMPREHENSIVE PLAN**

**WHEREAS**, the City of Mount Vernon has the authority and responsibility to undertake comprehensive planning in the City and to regulate land use for the purpose of protecting the public health, safety, and general welfare of its citizens; and

**WHEREAS**, in 2022, recognizing the need to update the 1968 Comprehensive Plan, and in accordance with New York General City Law (“GCL”) Section 28-a, the City Council appointed a Comprehensive Plan Advisory Committee (“Committee”), comprised of a diverse group of community stakeholders, for the purposes of assisting City staff (including the Department of Planning and Community Development) and a consultant team with preparing a new Comprehensive Plan for the City entitled Envision Mount Vernon (“Comprehensive Plan”); and

**WHEREAS**, following an extensive community engagement process, which involved numerous conversations with the community, meetings, working sessions, interviews, roundtables, public workshops, and digital engagement, the Committee, City Planning staff, and the City’s consultant team prepared a draft Comprehensive Plan; and

**WHEREAS**, the adoption of the Comprehensive Plan is classified as a Type I Action (“Proposed Action”) under the New York State Environmental Quality Review Act and its implementing regulations, 6 N.Y.C.R.R. Part 617 (“SEQRA”); and

**WHEREAS**, the Proposed Action will not require permits and approvals from any other local, regional, State, or Federal agencies prior to adoption and coordinated SEQRA review is, therefore, not required; and

**WHEREAS**, on September 24, 2025, the City Council designated itself as Lead Agency for the review of the Comprehensive Plan under SEQRA pursuant to 6 N.Y.C.R.R. Section 617.6(b)(1); and

**WHEREAS**, the City Council, together with its consultants and City Planning staff, initially prepared Parts 1 and 2 of the Full Environmental Assessment Form in support of the adoption of the Comprehensive Plan (collectively, “EAF”); and

**WHEREAS**, City Planning staff and the City Council’s consultants assisted the City Council in its preparation and review of the EAF; and

**WHEREAS**, pursuant to Section 28-a(6)(a) of the GCL, on September 24, 2025, the City Council referred the Comprehensive Plan to the City of Mount Vernon Planning Board for its review and recommendation prior to its adoption; and

**WHEREAS**, pursuant to Section 28-a(6)(b) of the GCL, and Section 239-m of the New York General Municipal Law (“GML”), on September 24, 2025, the City Council referred the Comprehensive Plan to the Westchester County Planning Board; and

**WHEREAS**, City Planning staff and the City Council’s consultants presented a draft of the Comprehensive Plan at a meeting of the Westchester County Planning Board on October 7, 2025; and

**WHEREAS**, the City Planning Board discussed the Comprehensive Plan at its meeting on October 8, 2025; and

**WHEREAS**, the City Council conducted a duly noticed Public Hearing for the draft Comprehensive Plan on October 8, 2025 at 7:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, the City Council conducted a duly noticed continued Public Hearing for the draft Comprehensive Plan on October 14, 2025, at 6:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, by letter dated October 21, 2025, the Westchester County Planning Board, among other things, applauded the City’s efforts to update the Comprehensive Plan, and provided certain comments for the Council to consider as it finalizes the Plan and works toward its implementation, which comments were carefully considered and integrated into the final draft Comprehensive Plan where appropriate; and

**WHEREAS**, the Westchester County Planning Board also commended the City for the numerous recommendations that are consistent with the County Planning Board’s long-range planning policies, and for engaging in significant community and stakeholder outreach throughout the process; and

**WHEREAS**, the Westchester County Planning Board further expressed that it is “encouraged that the City is considering a comprehensive rewrite of the zoning code following the adoption of this Plan;” and

**WHEREAS**, by Memo dated October 27, 2025, the City Planning Board recommended adoption of the Comprehensive Plan, and offered comments on the Comprehensive Plan, which comments were carefully considered and integrated into the final draft Comprehensive Plan where appropriate; and

**WHEREAS**, the City Council carefully considered all the oral and written comments on the Comprehensive Plan, and worked together with City Planning staff and its consultants to revise the Comprehensive Plan to address certain comments as the Council deemed appropriate; and

**WHEREAS**, on October 30, 2025, the City Council posted an updated draft Comprehensive Plan on the City’s website; and

**WHEREAS**, the City Council conducted a duly noticed continued Public Hearing for the updated draft Comprehensive Plan on November 10, 2025, at 6:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, the City Council has carefully considered all oral and written comments submitted by members of the public, the Planning Board, and the Westchester County Planning Board; and

**WHEREAS**, the Proposed Action does not involve the adoption of any amendments to the City Zoning Code or Zoning Map, and no proposed draft zoning ordinance has been prepared or reviewed by the City Council at this time; and

**WHEREAS**, the Proposed Action also does not involve the authorization for any specific land development activities or construction in the City; and

**WHEREAS**, although the Proposed Action does not involve the adoption of any zoning ordinance, the City is aware of three proposed projects for which rezoning petitions have been submitted to the City Council and are pending as of this date: (i) proposal by Grace Baptist Church to amend the Zoning Code and Zoning Map to facilitate the development of a mixed use residential and commercial project located at 70 South Sixth Avenue, 47 Second Street West, and 60 South Sixth Avenue; (ii) proposal by Sammy Properties, Inc. to amend the Zoning Map by applying the RMF-SC Senior Citizen Housing Floating Overlay district to an approximately 0.43-acre property located at 505 Gramatan Avenue; and (iii) proposal by West First Professional Plaza LLC for certain zoning text amendments in connection with a proposed multi-family apartment building at 22 West First Street (collectively, “Existing Projects”); and

**WHEREAS**, the City Council is in the process of conducting an environmental review under SEQRA for the Existing Projects; and

**WHEREAS**, Section 617.2(ah) of the SEQRA Regulations defines segmentation as “the division of the environmental review of an action such that various activities or stages are addressed under this Part as though they were independent, unrelated activities, needing individual determinations of significance;” and

**WHEREAS**, Section 617.3(g)(l) of the SEQRA Regulations further states that if a lead agency believes that circumstances warrant a segmented review, it must clearly state in its determination of significance, and any subsequent EIS, the supporting reasons and must demonstrate that such review is clearly no less protective of the environment; and

**WHEREAS,** the City Council, together with City Planning staff and its consultants, and in compliance with its duties under SEQRA as Lead Agency, has carefully reviewed and considered the entire record of the Proposed Action, including the draft Comprehensive Plan, all materials submitted and comments received, the EAF, the County Planning Board recommendations, and the City Planning Board recommendations, which when considered together, constitute the record which serves as the basis for a SEQRA determination, and has prepared Part 3 of the EAF, including the EAF Part 3 Supplement, dated November \_\_, 2025 (“EAF Supplement”), which contains the City Council’s analysis of the Proposed Action as compared to the SEQRA criteria determining significance (6 NYCRR Section 617.7(c)) and its reasoned determination as to the effects of the Proposed Action on the environment; and

**WHEREAS,** the City Council has thoroughly analyzed the identified relevant areas of environmental concern to determine if the Proposed Action may have a potential significant adverse impact on the environment.

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council confirms that it is acting as Lead Agency for the environmental review of the Proposed Action; and

**BE IT FURTHER RESOLVED,** that, pursuant to 6 N.Y.C.R.R. Part 617, the City Council determines after due discussion and deliberation that the Proposed Action does not have the potential to result in any significant adverse environmental impacts, and that an environmental impact statement is not required, for the reasons set forth in the attached EAF Supplement and Negative Declaration; and

**BE IT FURTHER RESOLVED,** that the City Council adopts and incorporates herein by reference the attached EAF Supplement and Negative Declaration for the Proposed Action under SEQRA; and

**BE IT FURTHER RESOLVED,** that this Resolution and the attached EAF Supplement and Negative Declaration shall constitute the City Council’s evaluation of the magnitude and importance of impacts of the Proposed Action and reasons in support of the determination of significance required under Part 3 of the EAF; and

**BE IT FURTHER RESOLVED,** that for the reasons stated in this Resolution and the EAF Supplement, the City Council finds that segmenting the environmental review of the Existing Projects, as well as potential future amendments to the City Zoning Code and Zoning Map, from the review of the Comprehensive Plan is warranted under 6 N.Y.C.R.R. Section 617.3(g)(1) for the following reasons:

1. The Comprehensive Plan is a City-wide legislative action only. It does not commit the City to any particular type of development or specific development plan.
2. The environmental review of the Existing Projects will address all areas of concern that SEQRA requires for those individual Projects in accordance with SEQRA. It is appropriate that the reviews be conducted in the context of the site-specific

projects rather than more generally as part of the review for the Comprehensive Plan. It is more protective of the environment to study the actual plans for the Existing Projects as part of their individual project reviews rather than as part of a SEQRA review for a generic Comprehensive Plan that is a theoretical policy document.

3. The Comprehensive Plan does not commit the City Council to the adoption of any specific zoning amendments. The Council will address all areas of concern that SEQRA requires for all future comprehensive and/or site-specific zoning amendments at the time they are considered for adoption; and

**BE IT FURTHER RESOLVED**, that the City Council hereby issues a Negative Declaration for the Proposed Action; and

**BE IT FURTHER RESOLVED**, that the City Clerk shall arrange to fulfill the filing and distribution requirements for the Negative Declaration as required by the SEQRA regulations in 6 N.Y.C.R.R. Section 617.12, and to make all other filings required by law; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

APPROVED AS TO FORM

\_\_\_\_\_  
Council Person

THIS RESOLUTION  
ADOPTED BY CITY  
COUNCIL

\_\_\_\_\_  
Assistant Corporation Counsel

\_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
City Clerk

APPROVED

\_\_\_\_\_  
APPROVED

\_\_\_\_\_  
Date

Dept.

\_\_\_\_\_  
By

\_\_\_\_\_  
Mayor

students (36.5%) from the peak enrollment of 10,167 reached during the 1999-2000 school year.

As documented in the pervious section addressing demographic conditions in Mount Vernon, declining school enrollments are a result of significantly declining birth rates, outmigration of young families to other areas, and an aging population.

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A MVCSD Classroom

Chart 2-3 graphically presents the overall district enrollment trend of the past 25 years.





(ACE) students. The remaining schools would become pre-K to grade 6 or K-6. This model would allow for each student to attend a school in close proximity to their home.

It is projected that implementing this plan will result in a savings of \$72,487,997.

Table 2-11 Presents to Plans timeline.

MILESTONE	DATE
Conduct a Community Survey	October 2024
Host Community Town Hall	November 2024
Complete Facility Assessment and Identify School Closures	December 2024
Develop Communication Plan for Stakeholders	January 2025
Submit Request for Re-zoning to BOCES	February 2025
Finalize Curriculum Adjustments for 7-12 Schools	February 2025
Submit Petition to State of NY	March 1, 2025
Notification of Redistribution of Staff	March – June 1, 2025
Officially Enact Closures of Three Schools	End of School Year 2025

Source: MVCSD

In addition to the public schools in the MVCSD noted above, Mount Vernon also has the Amani Public Charter School which currently serves grades 5-8 and had an enrollment of 344 students for the '23 – '24 school year, and will begin to phase in younger grades starting in 2025. There are also several private schools present in the City including:

- Emmanuel Children's Mission School
- Montfort Academy



## EMPLOYMENT

The following data and tables examine industry sectors that employ people in Mount Vernon, and the specific occupations of people working in Mount Vernon. In addition, the tables provide information about the quantity of jobs and wages in certain industry sectors and occupations as well as where people living in Mount Vernon work, and how they travel to work.

The number of people employed in Mount Vernon has grown over the past five years, from 33,409 in 2018 to 36,685 in 2023. This rise in employment has been associated with a similar decline in unemployment, which has dropped by about 1% during that time to roughly 4.5%.

The following chart shows jobs by industry sector in Mount Vernon, including the change in employment from 2018-2023. The numbers represent the total number of people employed in each sector.

Table 2-12 Mount Vernon Employment by Industry Sector				
	2018	2023	Change	% Change
Agriculture, forestry, fishing and hunting, and mining	91	13	-78	<u>85.7 decrease</u>
Construction	2,165	2,293	128	<u>5.9% increase</u>
Manufacturing	1,044	1,148	104	<u>9.9% increase</u>
Wholesale trade	676	809	133	<u>19.6% increase</u>
Retail trade	3,713	3,354	-359	<u>9.6% decrease</u>
Transportation and warehousing, and utilities	2,030	2,342	312	<u>15.3% increase</u>
Information	826	752	-74	<u>8.9% decrease</u>
Finance and insurance, and real estate and rental and leasing	1,954	2,267	313	<u>16.0% increase</u>
Professional, scientific, and management, and administrative and waste management services	3,370	4,271	901	<u>26.7% increase</u>
Educational services, and health care and social assistance	11,985	14,003	2,018	<u>16.8% increase</u>
Arts, entertainment, and recreation, and accommodation and food services	2,420	1,882	-538	<u>22.2% decrease</u>
Other services, except public administration	1,911	1,909	-2	<u>0.1% decrease</u>
Public administration	1,224	1,642	418	<u>34.1% increase</u>

Source: U.S. Census Bureau, ACS 5-year Estimates



Healthcare support occupations	3,380	\$46,014
<b>Protective service occupations:</b>	1,446	\$48,046
Firefighting and prevention, and other protective service workers including supervisors	966	\$36,667
Law enforcement workers including supervisors	480	\$96,550
Food preparation and serving related occupations	882	\$43,145
Building and grounds cleaning and maintenance occupations	1,726	\$44,290
Personal care and service occupations	1,219	\$38,346
<b>Sales and office occupations:</b>	6,340	\$54,341
Sales and related occupations	2,516	\$55,654
Office and administrative support occupations	3,824	\$54,029
<b>Natural resources, construction, and maintenance occupations:</b>	3,056	\$59,145
Farming, fishing, and forestry occupations	0	-
Construction and extraction occupations	2,324	\$55,589
Installation, maintenance, and repair occupations	732	\$65,855
<b>Production, transportation, and material moving occupations:</b>	3,992	\$49,246
Production occupations	993	\$51,585
Transportation occupations	1,897	\$52,938
Material moving occupations	1,102	\$40,361

Source: U.S. Census Bureau, ACS 5-year Estimates

As noted in demographics section people living in the City of Mount Vernon are less dependent on cars than most communities throughout the region. Still, there are a few established or emerging trends in the data that deserve attention.

- The latest estimates from the American Community Survey (ACS) found that approximately 8% of Mount Vernon residents primarily work from home, up from 3% in 2010. It is likely that a number of these workers commute to areas outside Mount Vernon one or more days a week to have a physical presence at their place of employment. This included people in financial services, healthcare, administrative support and other industries. This shift towards more work from home has resulted in an increase in Mount Vernon's daytime working population, which in turn can mean higher demand for businesses that cater to that population. Businesses, such as cafes, lunch spots, gyms, and co-working spaces may find additional opportunities in Mount Vernon as a result of these changes. The desire for these types of businesses was also shared by many Mount Vernon residents throughout the public outreach for this comprehensive plan. Mount Vernon should watch this trend carefully, and its

economic development staff should examine whether a larger daytime population might create new business opportunities for entrepreneurs.

The work-from-home information is also important because data showed that a total of 92% of Mount Vernon residents regularly commute outside the City for work. This figure increases when at-home workers periodically commute to their physical place of work. Data on work commutation also underscore Mount Vernon's proximity and economic relationship to New York City. Approximately 48% of Mount Vernon residents commute to the five boroughs of New York City for work, according to the U.S. Census Bureau.



- **Department of Management Services** – Broadly responsible for all data processing and computer systems within the city government, the commissioner and staff are also responsible for the procurement of supplies, materials and equipment for all city departments.
- **Department of Recreation** – The commissioner and staff are responsible for the operation, care, supervision and maintenance of all city-owned recreation facilities in Mount Vernon.
- **Office for the Aging** – The director and staff are responsible for helping the Mayor and City Council to develop policies and programs that meet the needs of the aging, and to encourage the full participation of the aging in the community.
- **Department of Human Resources** – The commissioner and staff lead, or provide consultation to elected officials on a wide range of personnel matters. These include hiring, salaries and benefits, maintenance of personnel records, employer-employee problems, recruitment of employees, and other duties.
- **Department of Public Works** – The commissioner and staff are broadly responsible for the construction and maintenance of streets, highways, sidewalks, sewers, and public spaces throughout Mount Vernon, as well as sanitation and snow removal.
- **Department of Buildings** – The commissioner and staff are responsible for the enforcement of the city zoning ordinance, the building code, and other laws related to the construction, alteration, maintenances, occupancy, and safety of buildings and structures in Mount Vernon. The department also has the authority to require the owners of any property in the city to take down and remove structures that are "unoccupied and in an untenable condition."
- **Department of Public Safety** – The commissioner of Public Safety is responsible for the supervision and administration of the City of Mount Vernon Police Department.
- **Office of Consumer Protection** – Overseen by a superintendent of weights and measures, this office is generally responsible for investigating complaints and protecting the interests of consumers within Mount Vernon, while also encouraging local businesses and industries to maintain fair business practices.
- **Fire Department** – The commissioner is responsible for the operation of the Fire Department and all its apparatus.

- **Department of Planning and Community Development** – The commissioner and staff are responsible for recommending major development and redevelopment policies, including those related to land use, population density, transportation facilities, parks and recreation areas, community appearance, and public buildings. The department also studies and collects data to serve as the basis for planning recommendations, including for consultation and advice of the city planning board.
- **Department of Law** – Led by the Corporation Counsel, this department acts as the legal advisor of the City Council, the Mayor, and the officers, boards and department of the city.
- **Department of Assessment** – The commissioner of Assessment and staff are responsible for the assessment of properties and local improvements for the purpose of accurate taxation.
- **Mount Vernon Urban Renewal Agency** – This agency, is located within the Department of Planning and Community Development. This agency, under the direction of its executive director, has the authority to acquire and dispose of real property, prepare cost estimates for urban redevelopment projects, and prepare applications for the removal of slums and blight.

#### The Comptroller

The elected Comptroller in Mount Vernon is the head of the Department of Finance. Broadly speaking, the Comptroller is responsible for the financial affairs of the city. This includes the disbursement of funds consistent with contracts, the receipt of taxes and other revenues, risk management, insurance, the keeping of various financial accounts and oversees municipal investments and borrowing. The Comptroller also plays a key role in overseeing or facilitating audits of the city and its authorities, such as the Industrial Development Agency and the Board of Water Supply.

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#### Board of Water Supply

The Board of Water Supply ensures Mount Vernon's compliance with all federal and state monitoring and reporting requirements related to drinking water, and it maintains and repairs water mains, service lines (from the curb valve to the main), fire hydrants, and water meters. The Board of Water Supply straddles branches of the city government, as its commissioner is appointed by the Mayor and water rates are set by the City Council upon advice from the water board. The delivery of a reliable supply of high-quality water is an essential service for the city.



Table 2-16  
Housing Developments in Pipeline

Project Address / Name	Status	Description	Total Units	Affordable Units
140 East Prospect Avenue / The Alexander	Planning Board	21-story new market rate	250	No
20 South 2 <sup>nd</sup> Avenue D'TOAD/Library Square	Planning Board	Two 14-story new mixed use, mixed affordability	272	Yes - All units affordable, range of AMI
70 South 6 <sup>th</sup> Avenue/The Grace-Grace Baptist Church	Conceptual	15- story new mixed affordability	262	Yes - All units affordable, range of AMI
222 East 3 <sup>rd</sup> Street/King's Square / Mastermind	Conceptual	New 100% affordable	225	Yes - between 20% and 40% AMI
22 North 3 <sup>rd</sup> Avenue	Conceptual	new mixed use Market Rate	50	No
22 West 1 <sup>st</sup> Street- Chase Bank	Conceptual	adaptive re-use and new construction, market rate. No formal proposal	?	No
125 East 3 <sup>rd</sup> Street/153 Franklin Avenue- Oneness Rehoboth Church	Conceptual	No formal proposal scattered-site; market rate, senior, homeownership	?	No
745 South 3 <sup>rd</sup> Avenue/Salvation Army site	Conceptual	Could be a hotel or market rate building- no formal proposal	?	No
505 Gramatan Avenue- Private (senior; market rate)	Pending	New 8-story mixed use senior apartments	56	No
7 & 11 North MacQuesten Parkway/Qwest-	Approved?	New construction 100% affordable	226	Yes - between 20% and 40% AMI
115 South MacQuesten Parkway-	Approved	mixed affordability	315	Yes - 299 at 60% AMI
6-8 Mount Vernon Avenue	Planning Board	new mixed use, market rate	23	No
16 E Broad Street	Approved with extension of time	new market rate	44	No
19 South Tenth Avenue	ZBA	adaptive re-use of vacant elementary school	20	No
420 North Terrace Avenue	ARB	new market rate	16	No

Source: Office of Planning and Community Development

Deleted: Previously approved but will need reapproval

### Household Characteristics

Mount Vernon's population is almost evenly split between renters and owners. There are slightly more people living in renter-occupied housing (58%) than owner-occupied housing (42%). There are significant demographic and economic differences between owner and renter households in Mount Vernon. In general, owner-occupied households tend to be wealthier and have a higher level of education than renter-occupied households. The median

Neighborhoods in the northern portion of the City include Aubyn, Fleetwood, Sunset Hill, Hunts Woods, Pasadena, Chester Hill Park, Chester Hill, and Chester Heights. The Cross County Parkway, buffered by natural growth on either side, enters from the west, bisecting Fleetwood, and continuing across the North Side before curving to the



north to its intersection with the Hutchinson River Parkway. The areas surrounding the Parkway are predominantly residential, with the northernmost neighborhoods characterized by moderate to large homes on tree-lined streets. The zoning, and land uses, in these neighborhoods are primarily made up of 1- and 2-family homes, with the exception of Fleetwood that contains multi-family and business districts. In general housing density and variety increases to south and east, including townhomes (single-family attached) and mid-rise apartment buildings.

Resources within the City's northern areas include:

- Scout Field, a public park in the north~~west~~ corner of Aubyn
- Hunts Woods Park, which runs through Hunts Woods
- The Bronxville Field Club, a large private recreational facility, is located in Hunts Woods.
- Pennington Elementary School
- The Montfort Academy private Catholic school
- Mount Vernon High School, which spans both sides of the Cross County Parkway in the Chester Hill Park neighborhood.
- The Westchester Muslim Center
- Sinai Free Synagogue
- Vajiradhammapadip Buddhist Temple
- Saints Peter & Paul Church
- United Methodist Church
- Immanuel Lutheran Church
- Fleetwood Synagogue

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To the south, the Oakwood Heights neighborhood contains a variety of housing types, including clusters of midrise apartment buildings. Institutional uses in the neighborhood include Traphagen Middle School, Holmes Elementary School, the Mount Vernon City School



laws and is referred to as the "Zoning Code." Other provisions, including for the establishment, powers, and duties of the related City departments and land use boards, are found in other chapters and in the Charter (Figure 2-5 – Existing Zoning Map).

Table 2-22 presents the area of the City included within each zoning district.

Zoning District	Acreage	Percent of Total
R1-7	542.9	19.3%
RMF-6.75	502.3	17.8%
R2-4.5	371.8	13.2%
R1-4.5	316.8	11.2%
R2-4.5	228.4	8.1%
I	227.7	8.1%
RMF-10	191.8	6.8%
CB	162.8	5.8%
RMF-15	142.6	5.1%
NB	125.1	4.4%
DB	55.2	2.0%
R2-3.6	56.3	2.0%
MVW-H	24.9	0.9%
LI-7.5	19.5	0.7%
MX-1	16.9	0.6%
MVW-T	12.9	0.5%
DOTAD	11.3	0.4%
MVW-C	9.3	0.3%
OB	9.1	0.3%
H	9.0	0.3%
TOD-1	4.2	0.1%
MVW-T (NC)	1.6	0.1%
MVW-H (NC)	2.3	0.1%
<b>Overlay Zones</b>		
R1-TH	5.5	0.2%
RMF-SC-25	7.1	0.3%
<b>Total</b>	<b>2,816.3</b>	

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#### Residence Districts (8 Districts)

- One-Family Residence
  - R1-7
  - R1-3.6

Table 2-28  
Public Parks

#	Park	Acreage	Ownership	Amenities
1	Hunt's Woods Park	23.38	City	Hiking & biking trails
2	Fleetwood Playground	0.61	City	Basketball court, gazebo, 2 play sets, 2 swing sets
3	Guttenberg Park	0.41	City	Open space, benches
4	Leo Mann Park	0.45	City	Basketball court
5	Nicholas Playground	0.21	City	Gazebo, playground
6	Hartley Park	5.25	City	Green space, gazebo, picnic shelter, recreation building, restrooms, 2 basketball courts, fitness court, playground, memorial
7	Howard St. Playground	0.36	City	Basketball court, playground
8	Glen Ave/Willow Pl. Park	0.15	City	Green space
9	Lorraine Ave Playground	0.22	City	Basketball courts, playground
10	City Hall Plaza	0.58	City	Public plaza, monuments, benches
11	Farnsworth Park	0.13	City	Green space, monument
12	Colton Park	0.09	City	Plaza, monuments
13	Grove St. Playground	0.22	City	Basketball court, playground
14	Lewis Park	0.19	City	Green space
15	Adam St. Playground	0.16	City	Playground, benches
16	Purdy's Park/Lions Playground	0.17	City	Basketball court, playground
17	Old 7 <sup>th</sup> Ave. Playground	0.25	City	Playground, swings
18	Howie Park	0.13	City	Gazebo, green space
19	Madison Park	0.13	City	Playground
20	Sophie J. Mee Park	0.25	City	Playground, swings, benches
21	Eddie Williams Park	0.25	City	Basketball courts
22	4 <sup>th</sup> Street Park	0.86	City	Basketball courts, bleachers
23	Adams Park	0.22	City	Green space, benches
24	Union Park	0.11	City	Green space, monument
25	Memorial Field	9.31	City	Multi-purpose stadium, plaza, tennis facility, skate park
26	Hutchinson Fields	9.49	City	Athletic fields
27	Brush Park	9.34	City	Baseball/softball diamond, cookout area, grill, playground, parking
28	8 <sup>th</sup> Avenue Park	0.25	City	Basketball court, playground, swings
29	Wilson Woods Park	30.35	County	Outdoor pool, bathhouse, DeMatteo pavilion, waterpark, picnic areas
<b>Subtotal</b>		<b>93.52</b>		
30	Bronx River Parkway Reservation	37.23	County	Parkway right-of-way and multi-use trail

Deleted: , baseball diamond



Mount Vernon is composed of 15 distinct neighborhoods:

- Aubyn Manor
- Fleetwood
- Hunts Woods
- Pasadena Park
- Chester Hill Park
- Chester Heights
- Oakwood Heights
- Primrose Park
- Sunset Hill
- Chester Hill
- Downtown
- Mount Vernon West
- South Side
- Vernon Heights
- Parkside





### Downtown

The City's downtown reflects its long history as a civic, commercial, artistic and transportation hub. Gramatan Avenue and South Fourth Avenue function as the City's "main street" and are lined with mixed-use buildings that typically feature ground-level retail shops, retail service uses or restaurants with upper floor office or residential uses. Today, many of the upper floor spaces are underutilized or vacant. In spite of increasing vacancy rates, the Downtown reflects a diverse and dynamic urban fabric, with an active public realm.



The "railroad cut" that bisects the Downtown is a physical and perceptual barrier that creates a challenge in developing a unified approach to planning for the area.

The Downtown incorporates all of the City's building topologies; including Detached Dwellings, Townhouses, Multi-Family Buildings, Tower on Podium Buildings, Mixed-Use Buildings, General Commercial Buildings, One-Story Commercial Buildings and Civic Buildings.

The Downtown also includes a number of notable landmarks including the traffic circle on Gramatan Avenue and Lincoln Avenue which serves as a gateway to the Downtown, Hartley Park, City Hall and Petrillo Plaza, the US Post Office, the Library and Grace Church.

**Proposed Future Land Use** – Reorganizing the multiple zoning districts in the downtown to reflect the Phase I Downtown Vision Report (refer to Appendix) to accommodate Downtown Mixed-Use is recommended. The zoning parameters within the High-Density Residential areas surrounding the downtown core should be reassessed to reflect the recommendations of the Phase I Downtown Vision Report. The multiple zoning districts along 3<sup>rd</sup> Street should be modified to Corridor Mixed-Use.



### Pasadena Park

Located due west of Mount Vernon High School which defines the eastern edge of this neighborhood, the Pasadena Park neighborhood is almost entirely devoted to single-family homes that were built slightly later than the homes located to the west, circa 1930's to 1950's.

Single family Detached Dwellings dominate the building typology of the neighborhood, along with the Westchester Muslim Center and the Vajradhammapadip Temple Civic Buildings, which serve as landmarks in the south-central portion of the neighborhood.



**Proposed Future Land Use** – No change to the land use characteristics of this neighborhood are proposed.



### Hunt's Woods

This neighborhood is centered around Hunt's Woods Park, which runs generally north-south through the center of the neighborhood. The Park was once part of the Hunt family estate, and remnants of the estate, including old stone walls and trails remain in the park today, and provide a unique sense of character for this neighborhood.

This neighborhood is bucolic and tree-lined and features Tudor Revival, Colonial and English Cottage style homes, many on larger lots. This area has a very strong neighborhood identity.

The building typology of the neighborhood consists almost entirely of single family Detached Dwellings. The Plymouth House multi-family buildings are located in the southwest corner of the neighborhood.

The neighborhood is bounded by three hard edges along the Cross County Parkway in the south, Gramatan Avenue in the west and Route 22 in the east. Hunt's Woods Park and the Bronxville Field Club are prominent landmarks.



**Proposed Future Land Use** – No change to the land use characteristics of this neighborhood are proposed.





### Fleetwood

The Fleetwood neighborhood contains a diverse land use pattern, in a compact transit-oriented configuration, that is bisected by the Cross County Parkway. Prewar 4 and 5-story brick and Tudor styler apartment buildings dominate the southeastern portion of the neighborhood, with newer apartment buildings located along MacQuesten Parkway. The newly constructed 16-story tall 42 Broad Street dominates the center of the neighborhood. West Grand Street, Broad Street West, **Locust Street** and Gramatan Avenue support traditional “downtown” uses – such as retail and service businesses as well as restaurants, which create a walkable, self-sufficient neighborhood. The Fleetwood Metro North train station is the transit-oriented hub of the neighborhood. On the north side of the Parkway, the 6-story Colonial Village apartment buildings continue the land use pattern found to the south. North of East Birch Street, the neighborhood transitions to lower density single and two-family homes of the R2-4.5 zoning district.



The building typology of the neighborhood reflects its land use diversity, and includes, General Commercial Buildings, One-Story Commercial Buildings, Mixed-Use Buildings, Civic Buildings, Multi-Family Buildings, Tower on Podium Buildings, and Detached Dwellings.

The commercial portion of Fleetwood serves as an independent commercial node, while the train station serves as a transit node. This neighborhood in particular is defined by very distinct edges, some of which are internal to the neighborhood. The 42 Broad Street development has become a conspicuous and identifiable landmark.

**Proposed Future Land Use** – Reorganizing the multiple zoning districts in the commercial node to accommodate Neighborhood Mixed-Use is recommended. Replacing the CB – Commercial Business zoning along MacQuesten Parkway with High Density Residential use is recommended given the areas proximity to the Fleetwood Metro-North train station and the emergence of new multi-family developments in the area.



come as no surprise. Government funding, smart growth principles, and climate change mitigation efforts are all encouraging relatively dense housing near transportation hubs.

- **Economic and community benefits:** A strong commuter base supports the City's goals for increased revenue, small business development, and public safety. New residents bring spending power that will support local coffee shops, grocery stores, entertainment venues, and other services in high demand by current residents. More economic activity means more tax revenue for Mount Vernon, and more people on the street translates to greater vibrancy and improved public safety.

To fully realize the promise of City of Homes v2.0, Mount Vernon must recognize that housing forms, needs, and desires have evolved.

Traditional homeownership is under stress in Mount Vernon and the surrounding region. The median price of a single-family home in the City now exceeds \$550,000, putting single-family homeownership out of reach for many, including existing residents. Meanwhile, housing trends have shifted toward smaller, more affordable options like co-ops, apartments, and townhomes, often built with shared amenities and situated near parks, shops, and transit.

Younger generations—Millennials and Gen Z—are driving much of this change. Many are looking for low-maintenance living in walkable, connected neighborhoods rather than the large, detached homes of the past. These generations are also less interested in buying homes due to high housing costs, student debt, and a preference for flexibility and urban living. The cultural shifts and general economic instability among these generations have made many view homeownership as risky or unattainable rather than a necessary life milestone. For Mount Vernon to meet these evolving desires for housing, the City must update its zoning policies, integrate housing with transportation and essential goods and services, and embrace a broader, more flexible definition of what "home" looks like.

City of Homes v2.0 will not be an exact replica of the City's founding—but with thoughtful planning, it can honor Mount Vernon's historic identity while building a thriving, inclusive future.

#### **Mount Vernon: A Thriving Center for Creative and Cultural Excellence**

From Denzel Washington and Dick Clark to J.B. Smoove and E.B. White, Mount Vernon has an extraordinary legacy of producing influential figures who shaped the cultural and artistic landscape of America. This rich heritage should not only be celebrated—it should be a cornerstone of Mount Vernon's future.

**Deleted:** The definition of "home" has changed and expanded significantly. Houses, duplexes, triplexes, apartments, co-ops, townhouses, cottages, tiny homes, modular and panelized structures, dormitories, and senior living facilities are all "home" to people who we value as our neighbors.



- The integrity of the commercial hub should be preserved. Mixed uses are acceptable, provided a commercial streetscape is preserved along Gramatan Avenue, Fleetwood Avenue, West Grand Street and West Broad Street.
- **Aubyn Manor** – This neighborhood is primarily comprised of homes, generally built between 1905 and the late 1920's. Dutch and Georgian Colonial architectural styles dominate the neighborhood. This neighborhood is a short walk from downtown Bronxville and reflects a similar character.



Examples of Aubyn Manor Neighborhood Architecture

- Maintaining existing zoning controls is recommended to preserve the historic character of this neighborhood.
- **Hunt's Woods** – This neighborhood is centered around Hunt's Woods Park, which runs generally north-south through the center of the neighborhood. The Park was once part of the Hunt family estate, and remnants of the estate, including old stone walls and trails remain in the park today.

This neighborhood is bucolic and tree-lined and features Tudor Revival, Colonial and English Cottage style homes, many on larger lots. This area has a very strong neighborhood identity, and The Friends of Hunts Woods helps to maintain the Park and the character of the area.

The Bronxville Field Club is a notable feature in this neighborhood.





Bronxville Field Club



Examples of Hunt's Woods Neighborhood Architecture

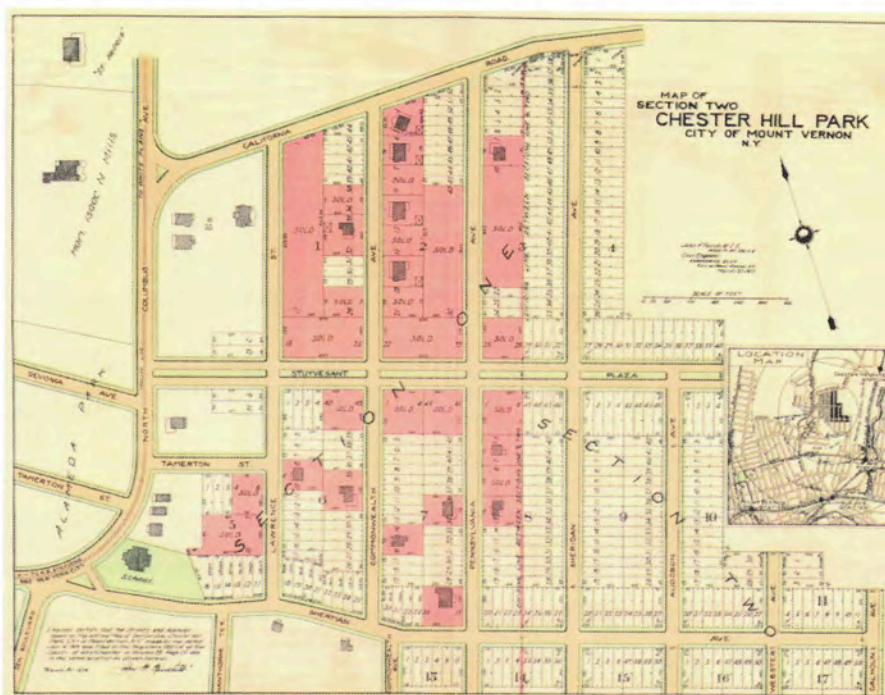
- Explore historic district designation for this neighborhood.
- **Pasadena Park** – Small and almost entirely devoted to single-family homes, Pasadena supports homes that were built slightly later than the homes located to the west, circa 1930's to 1950's. Colonial Revival and Cape Cod architectural styles predominate, and many homes retain period details like bay windows, shutters, stone facades and slate pathways.





Examples of Pasadena **Park** Neighborhood Architecture

- Maintaining existing zoning controls is recommended to preserve the historic character of this neighborhood.
- **Chester Hill Park** – This neighborhood was laid out on planned blocks with a central boulevard (Stuyvesant Plaza), greenspaces and trolley access around 1910.



The residential fabric consists primarily of medium to large pre-1940 single-family homes and early apartment and coop complexes.

The Mount Vernon High School campus occupies the eastern side of this neighborhood.



- Target heat island mitigation in environmental justice areas (e.g. green roofs, shade trees).
- Ensure equitable utility and infrastructure access.

**Goal: Eliminate components of the City's zoning that may be considered exclusionary.**

Exclusionary zoning refers to land use regulations that intentionally or unintentionally limits who can live in a community, often by restricting housing types or densities through various zoning provisions. These regulations disproportionately exclude low-income individuals, renters and communities of color, reinforcing patterns of racial and economic segregation. While Mount Vernon's zoning is not inherently exclusionary, particularly when compared to neighboring municipalities who have had to comply with court decisions requiring them to construct more multifamily units, distinct and rigid boundaries do exist throughout the City and bulk, area, dimensional and parking regulations need to be revisited on a case-by-case basis to ensure equity.

**Objective: Remove exclusionary zoning practices and regulations.**

- Adopt the recommendations set forth in the Housing Access for All section.
- Implement inclusionary zoning to facilitate housing diversity.
- Address excessive parking standards that limit density.
- Study upzoning high-opportunity areas to allow for more inclusive housing, particularly in transitional areas.

**Goal: Improve access to a healthy environment regardless of race, income or neighborhood.**

Disadvantaged Communities (DAC) are defined by New York State, "as communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate- income households." The majority of Mount Vernon has been designated by

**Deleted:** specifically including those related to the creation of starter homes for the "missing middle," accommodating mixed-use development, legalizing small-scale multifamily and shared housing, as-of-right duplexes and triplexes in all single-family zones, and the legalization of co-housing models such as small footprint micro-apartments and dormitory style housing with community amenities

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- Montefiore's takeover of hospitals in Mount Vernon has been criticized for reinforcing racial disparities in healthcare, with claims of inadequate resourcing. *Work with Montefiore to redress disparities and to adequately serve the City.*

**Goal:** Think beyond the limits of this Plan to create a long-term institutional infrastructure for equity.

**Objective:** Envision Mount Vernon does not offer a panacea to resolve decades of inequality; however, it does represent an opportunity for the City to proactively cooperate across departments and partner with residents and community-based institutions to deliberately and intentionally incorporate equity in all decision making.

- Identify and support a pipeline of resident leaders and community liaisons, specifically including traditionally underrepresented groups, to monitor the progress of the implementation of Envision Mount Vernon, and to ensure it evolves with changing conditions.
- Implement to government efficiency recommendations included in the Effective Government Services section.

**Goal:** Establish, expand and facilitate inclusive housing strategies.

**Objective:** Deploy a broad array of housing strategies that address housing creation, financing, legalization, collaboration, location and type, as more fully detailed in the Housing Access for All section.

- Disaggregate housing and zoning data to more specifically tailor equity solutions that reach marginalized groups.

**Goal:** Ensure anti-discrimination in housing.

**Objective:** Conduct equity assessment to ensure compliance with Affirmatively Furthering Fair Housing policies.

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## THE PUBLIC REALM & STREETSCAPES

As described throughout this Plan, given the denser development pattern that the City intentionally pursued over the past century and a half, the City's public spaces are critical to the overall quality-of-life of City residents. The previous section contained recommendations focused on the ways in which residents move throughout the City, utilizing those public spaces. This section includes recommendations related to the quality of those public spaces. Common themes from the Comprehensive Plan's public engagement include the desire for safer and more attractive streets, celebration of local history and identity, improved walkability, and enhanced maintenance and inclusivity in vibrant public spaces. Engagement participants highlighted current conditions such as inaccessible sidewalks, limited greenery, insufficient lighting, and discomfort walking near industrial areas—underscoring the need for targeted upgrades across the public realm. Together, these insights shape a set of recommendations that build on local culture, elevate neighborhood character, and make the City's shared spaces more engaging and equitable.

**Goal: Advance a placemaking framework that enhances Mount Vernon's public realm as an inclusive reflection of its cultural identity through engaging design, public art, and adaptive reuse.**

**Objective: Enhance neighborhood corridors.**

Community input highlighted opportunities for placemaking enhancements along commercial corridors, including South Fourth Avenue/Gramatan Avenue, Lincoln Avenue, East Sanford Boulevard, Columbus Avenue, MacQuesten Parkway, East 3rd Street, Mount Vernon Avenue and Fleetwood. These areas face combinations of congestion, limited greenery or visual interest, uneven lighting, and poor pedestrian access. Updated standards and creative interventions can reinforce walkability, strengthen community identity, and support vibrant, people-centered environments.

- **Install district signage, art, and interpretive markers.** Launch a coordinated neighborhood branding initiative to help define and distinguish each corridor. Partner with residents, local historians, artists, and community organizations to identify meaningful stories, visual themes, and cultural assets. Design interpretive signage and wayfinding elements that reflect each corridor's identity, and install them at key nodes, intersections, and public spaces. Additionally, the City should remove worn or outdated wayfinding signs.

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**Objective: Regulate storefronts and signage to improve public realm quality**

Blank facades and roll-down gates detract from the public realm and discourage walkability. Residents consistently voiced support for more transparent storefronts, less visual clutter, and better signage quality.

- **Adopt storefront and signage regulations.** Define acceptable sign dimensions, materials, lighting, and transparency thresholds that are tailored to specific districts or corridors. Provide flexibility for creative signage where appropriate. The regulations should be accompanied by design guidelines and technical assistance, such as illustrations, workshops, and consultations.
- **Phase out solid roll-down gates.** Ban new solid gates and set a compliance timeline for existing ones. Provide a list of acceptable alternatives, such as open-grille or transparent gates. Consider offering incentives for businesses that switch early.

**Goal:** Particular areas of the City warrant specific, targeted “small area” plans. The goal of this section is to address specific strategies for areas such as of East Sandford Blvd – Canal Village, Fleetwood and Mount Vernon Avenue.

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**Objective: Undertake Incremental Placemaking on East Sandford Boulevard**

Incremental placemaking involves small, low-cost improvements that cumulatively enhance the public realm. Rather than relying on full-scale capital projects, these tactical interventions—such as painted curb extensions, pop-up plazas, murals, movable seating, and temporary closures—can be phased over time to reclaim space for people.

East Sandford Boulevard, particularly east of Franklin Avenue, is characterized by oversized rights-of-way, underutilized sidewalks, and a fragmented pedestrian environment. Incremental placemaking is particularly well-suited to this corridor because it enables visible, low-risk improvements that build momentum and respond flexibly to community needs.

- **Curb Extensions and Parklets.** Pilot temporary bump-outs or mini-plazas using paint, planters, and barriers, especially near key intersections or vacant frontages, as a form of tactical urbanism. Potential locations may include the intersections with South Fulton Avenue, South Columbus Avenue, and Durham Avenue/Colonial



- Promote creation of starter homes and multi-family homeownership to provide opportunities for lower-to-moderate-income households.
- Streamline building permits, loosen restrictions, and reduce fees for homes that cater to first-time homebuyers with income levels that reflect the socioeconomic positions of existing Mount Vernon residents.
- Prioritize first-time buyers in homeownership projects that are promoted or supported by the city or the IDA. Because first-time buyers struggle to enter the market, this is a critical strategy to increase homeownership rates and stability for moderate-income households. This strategy can also contribute to reducing wealth and homeownership gaps for historically marginalized communities.
- Adopt property tax exemptions to promote fair taxation of owner-occupied limited equity models and affordable homeownership, including a circuit breaker for low- and moderate-income homeowners, local-option exemptions for subsidized affordable homeownership, and others. See, for example, Exemption 421-p to make it easier for existing homeowners to create Accessory Dwelling Units, Exemption 421-pp to support fully affordable rental development projects, and various demographic-specific exemptions embedded within NYS Real Property Tax Law (RPTL). To support affordable homeownership, opt in to the Affordable Homebuyer Property Tax Incentive (FY 2026), the Homebuyer Renovation Property Tax Exemption (A7479) and others within RPTL that support low- and moderate-income homebuyers and homeowners to purchase and maintain their homes. In general, Mount Vernon should review existing exemptions and opt in to any that would support housing stability and affordability.
- Pursue partnerships that could support below-market public lending products that offer alternatives to traditional market options, such as blended mortgages. Funding for this initiative could come from bonds, HOME or CDBG funds, a local housing trust fund, or general municipal revenue. Explore opportunities with banks that have CRA (Community Reinvestment Act) requirements.

**Objective:** Increase production of new housing overall.

- Allow and encourage mixed-use development with a residential component where appropriate.
- Permit housing in non-residential areas throughout the city, except those expressly set aside for parks. Modern patterns of development often co-locate residential,

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industrial, commercial and retail uses. The city should allow and promote the co-location of these uses so that people can live close to where they work and shop.

- Strategy: Allow residential infill and upzone greyfields. Greyfields are underutilized or obsolete properties—often former retail or commercial sites—characterized by blighted buildings, aging infrastructure, and various forms of declining economic viability. Unlike brownfields (which may be contaminated) or greenfields (undeveloped land), greyfields typically require redevelopment to restore their functional and economic value. Allowing residential development on these underutilized commercial properties, such as box stores, strip malls, and parking lots, is efficient because the necessary infrastructure—roads, sidewalks, water and sewer, electricity, and broadband—is already in place. This approach lowers development costs, shortens timelines, and is more efficient with land and resources. The public is often more supportive of development at greyfield sites because something had already been constructed at these locations in the past, and the redevelopment contributes to broader revitalization goals. In Mount Vernon in particular, upzoning greyfield sites could bring new life to former commercial zones where the market for residential space is likely stronger than for the market for the prior use.

**Objective:** Legalize small-scale multifamily and shared housing in carefully selected Medium Density Residential areas.

- Bring existing, informal duplex and triplex conversions into compliance with building and fire code requirements regardless of when they were built. The legalization effort shall include all existing duplex and triplex conversions, regardless of whether those conversions occurred prior to the adoption of this policy. In addition to supporting a greater housing stock, this retroactive legalization will empower tenants in these units to hold their landlords accountable by making it safe for tenants to report any violations or problems in their buildings.
- Require a new Certificate of Occupancy for all pre-existing conversions. This will ensure all units comply with building safety standards, which addresses a concern that was raised through community engagement efforts. Rather than regulating small-scale multifamily units through zoning, the building department should instead determine allowances based on building code standards, health, and safety. Conversions that do not meet health and safety standards should be the

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individuals with disabilities or physical handicaps. Examples of universal design elements include doorways that are wide enough for wheelchairs, thresholds that are flush with the floor, door handles rather than knobs, and single-story living arrangements.

- Ensure that senior housing is integrated into sociable, walkable, and transit-accessible areas. It is important that seniors remain part of the community rather than separated into age-segregated living.

#### Goal: Improve Housing Affordability

The cost of housing, for owners and tenants alike, is typically the largest expense in any household budget. In Mount Vernon, nearly one in four households spend 50% or more of their income on housing, causing severe financial strain. In this environment of high and rising housing costs, the City of Mount Vernon should strive to improve housing affordability and community stability through a mix of initiatives, incentives, mandates, and creative policy solutions.

**Objective: Adopt a Mandatory Inclusionary Housing Policy for certain medium and high density areas.**




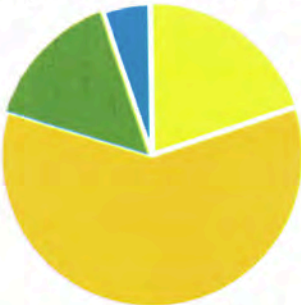
- Design an inclusionary housing policy that requires a portion of new residential construction to be set aside as housing that is permanently affordable for low- and moderate-income community members. Permanent affordability can be achieved through deed restrictions or by partnering with a nonprofit organization such as a Community Land Trust (CLT) as described above. The inclusionary policy should be applied to projects that create 10 or more units of housing.
- Ensure that the inclusionary housing policy aligns with local household incomes and targets households in the greatest need of more affordable housing options. Most affordable housing set-aside policies are based on the Area Median Income (AMI) as determined by HUD. This number is generally developed on a county-by-county basis. This means that a local inclusionary zoning policy based on county AMI needs to account for the discrepancy in Westchester's overall median household income, and the median household income in Mount Vernon. Specifically, Westchester County's 2025 AMI was \$170,000. The 2023 median household income in Mount Vernon was \$77,171, less than half of the County AMI. Such a high county-level AMI relative to local household incomes can easily create confusion about housing



## Medium Density Residential

**Medium Density Residential** – This category includes detached single-family homes on individual lots, attached single-family homes, two-family homes, townhouses and multi-family buildings. Conversions of large existing dwellings to multi-family housing is anticipated. Located in traditional neighborhood settings, these areas are auto-centric but have improved access to public transit. These neighborhoods are frequently located in transitional areas. Neighborhood civic uses and parks are present.

Medium Density Residential areas can be divided into four subcategories based on suggested F.A.R.'s and building height; MD-1, MD-2, MD-3 and MD-4.

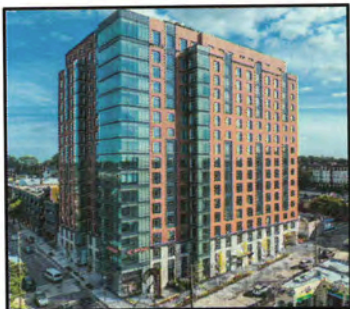


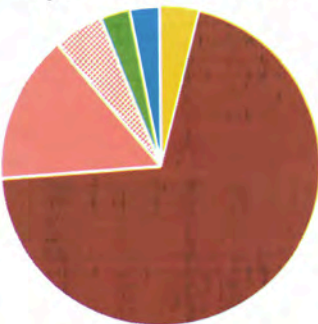
Illustrative Precedent Images												
												
<h3>Types of Allowed Uses</h3> <ul style="list-style-type: none"><li>▪ Two to Four-Family Residential</li><li>▪ Townhouses</li><li>▪ Medium Density Multi-Family Residential</li><li>▪ Civic Uses</li><li>▪ Recreational Uses</li></ul>	<h3>Optimum Mix of Uses</h3>  <ul style="list-style-type: none"><li>Low Density Residential</li><li>Medium Density Residential</li><li>Civic Uses</li><li>Recreation &amp; Open Space</li></ul>	<h3>Suggested F.A.R. &amp; Heights</h3> <table><tr><td><b>LM-1</b></td><td>1.5 – 2.0 F.A.R. 2 ½ stories</td></tr><tr><td><b>LM-2</b></td><td>2.0 – 2.5 F.A.R. 2 ½ stories</td></tr><tr><td><b>MD-1</b></td><td>2.5 – 3.0 F.A.R. 4 stories</td></tr><tr><td><b>MD-2</b></td><td>3.5 -4.0 F.A.R. 6 stories</td></tr><tr><td><b>MD-3</b></td><td>4.5 – 5.0 F.A.R. 8 stories</td></tr></table>	<b>LM-1</b>	1.5 – 2.0 F.A.R. 2 ½ stories	<b>LM-2</b>	2.0 – 2.5 F.A.R. 2 ½ stories	<b>MD-1</b>	2.5 – 3.0 F.A.R. 4 stories	<b>MD-2</b>	3.5 -4.0 F.A.R. 6 stories	<b>MD-3</b>	4.5 – 5.0 F.A.R. 8 stories
<b>LM-1</b>	1.5 – 2.0 F.A.R. 2 ½ stories											
<b>LM-2</b>	2.0 – 2.5 F.A.R. 2 ½ stories											
<b>MD-1</b>	2.5 – 3.0 F.A.R. 4 stories											
<b>MD-2</b>	3.5 -4.0 F.A.R. 6 stories											
<b>MD-3</b>	4.5 – 5.0 F.A.R. 8 stories											



## High Density Residential

**High Density Residential** – This category accommodates a wide variety of housing types at higher densities. These districts are located in core areas in close proximity to public transit, employment, shopping and community facilities.

High Density Residential areas can be divided into seven subcategories based on suggested F.A.R.'s and building height; HD-1 through HD-7.

Illustrative Precedent Images		
		
<b>Types of Uses</b> <ul style="list-style-type: none"> <li>High Density Multi-Family Residential</li> <li>Mixed-Use Buildings</li> <li>Civic Uses</li> <li>Recreational Uses</li> </ul>	<b>Optimum Mix of Uses</b>  <ul style="list-style-type: none"> <li>Medium Density Residential</li> <li>High Density Residential</li> <li>Mixed-Use</li> <li>General Commercial</li> <li>Recreation &amp; Open Space</li> <li>Civic Uses</li> </ul>	<b>Suggested F.A.R. &amp; Heights</b> <ul style="list-style-type: none"> <li>HD-1 6.5 F.A.R. 9 stories</li> <li>HD-2 8.0 F.A.R. 12 stories</li> <li>HD-3 8.0 F.A.R. 15 stories</li> <li>HD-4 8.0 F.A.R. 21 stories</li> </ul>





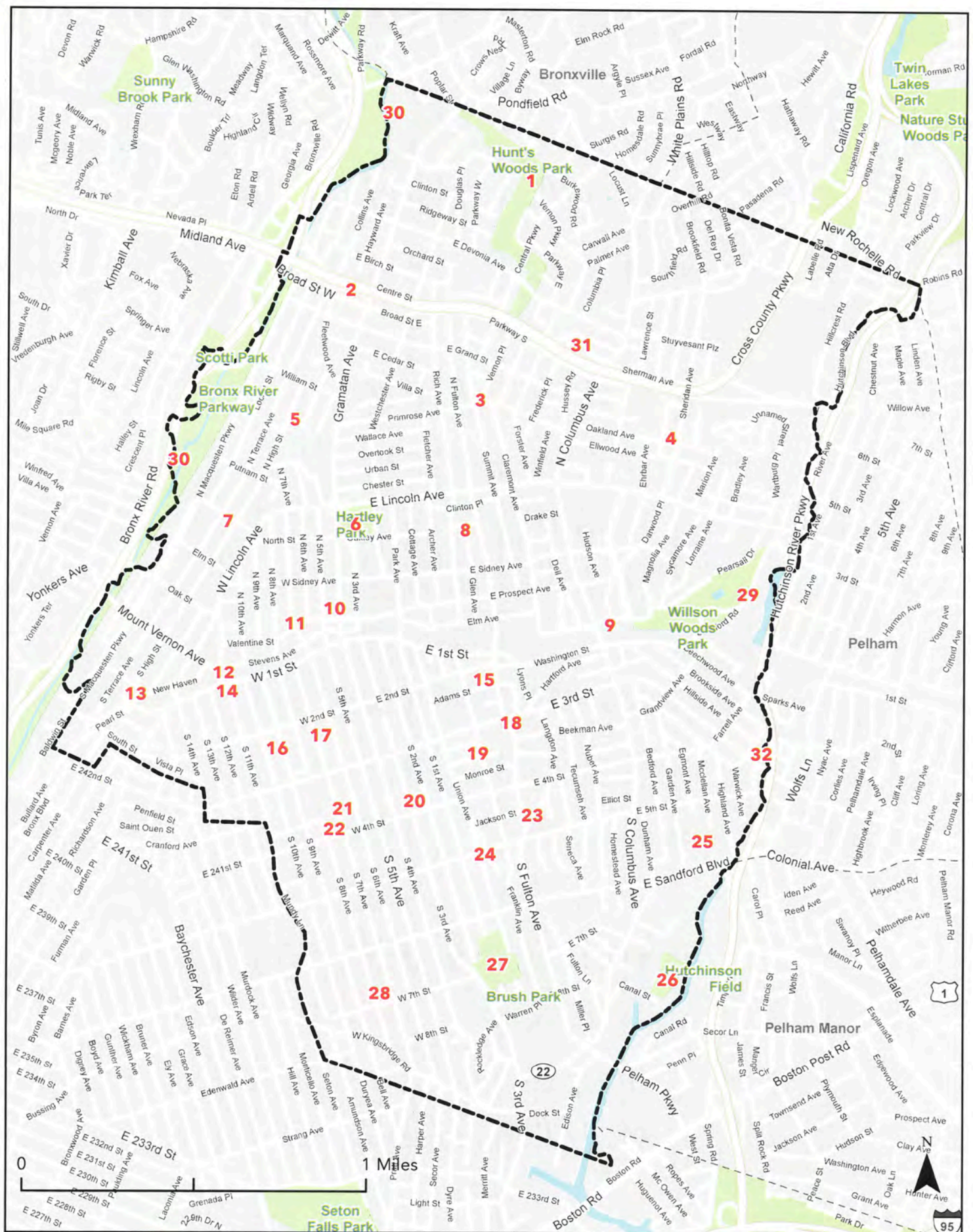


Figure 2-12  
Public Parks

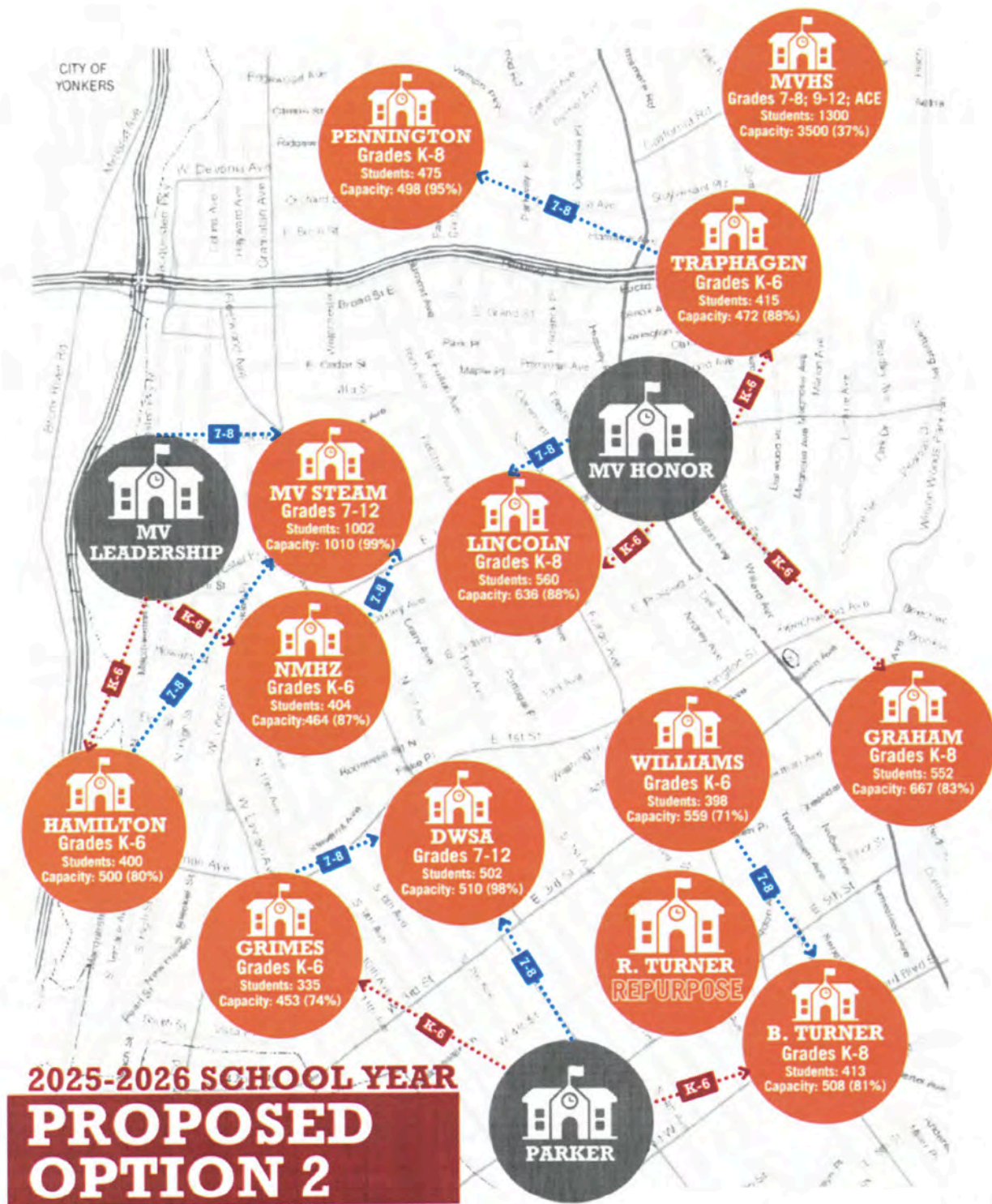
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New York State Department of  
Information Technology Services, 2024  
U.S.G.S. National Hydrography Dataset,  
2024  
Westchester County GIS, 2022





Data:  
Westchester County GIS, 2022  
New York State Department of Information  
Technology Services, 2024  
U.S.G.S. National Hydrography Dataset, 2024





Data Provided by MVSCD



Figure 2-1  
MVSCD  
School Reconfiguration Plan



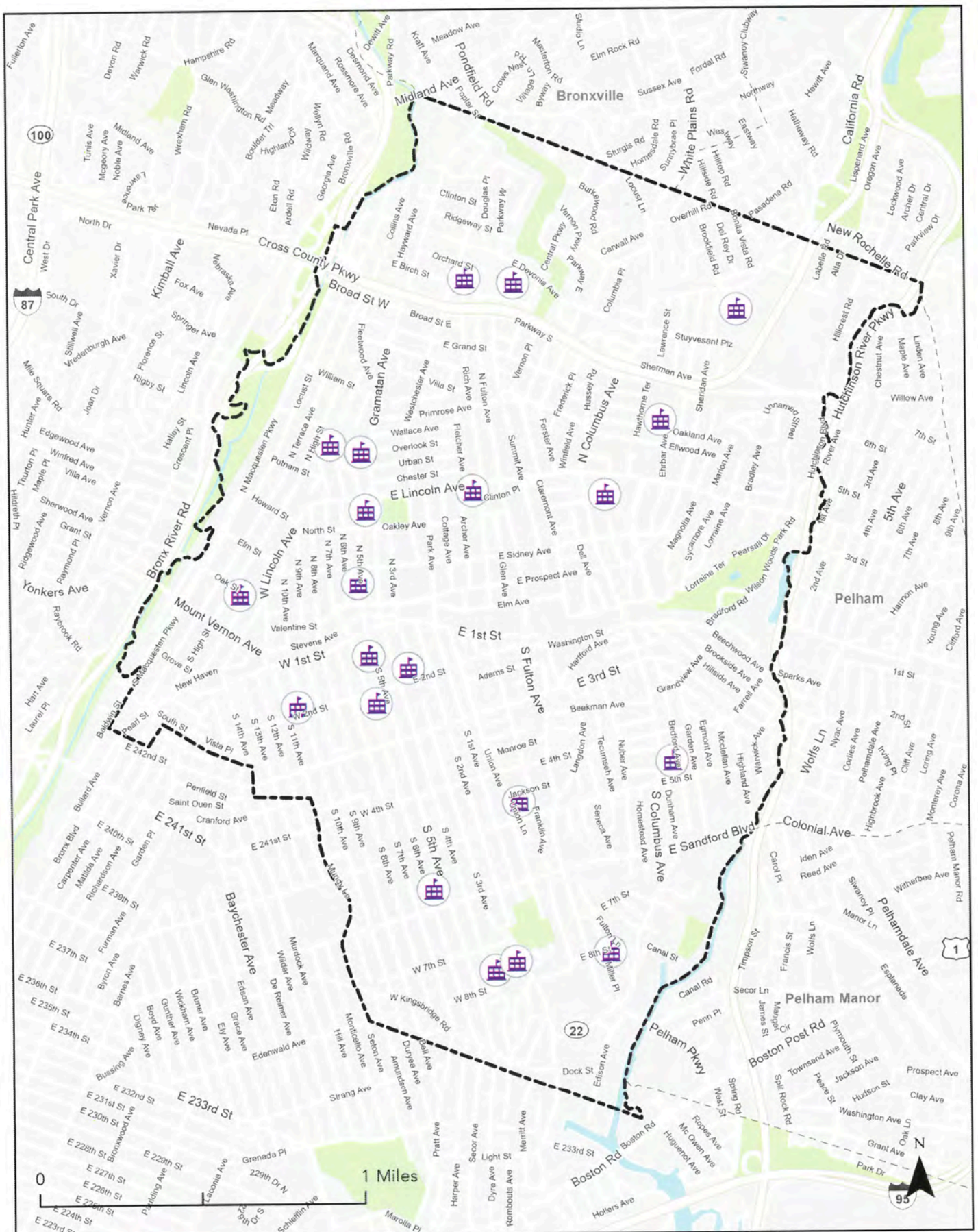


Figure 2-2  
K-12 Schools

Data:  
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Information Technology Services, 2024  
U.S.G.S. National Hydrography Dataset,  
2024  
New York State Department of Education,  
2025



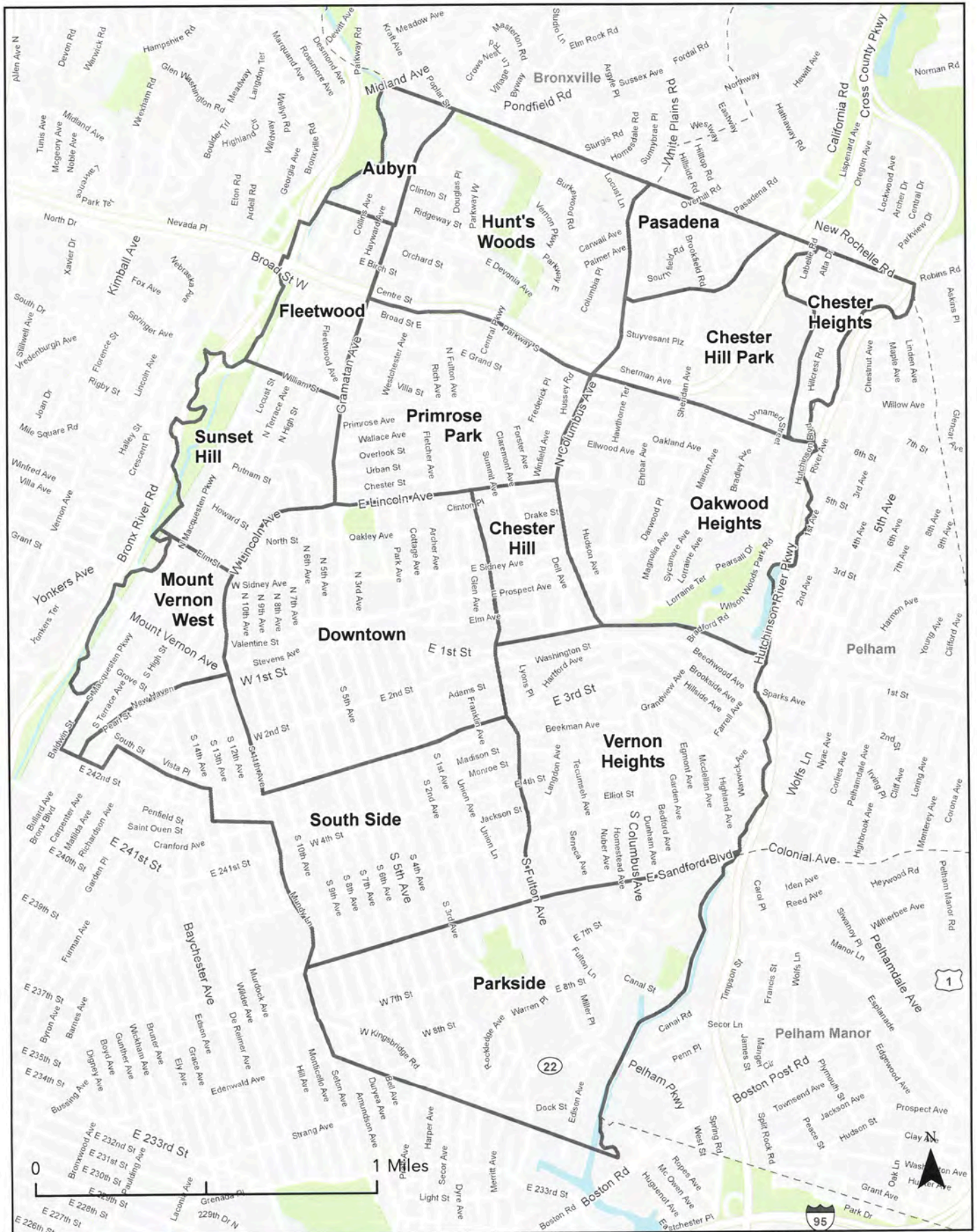


Figure 2-3  
**Mount Vernon Neighborhoods**

Data:  
 New York State Department of  
 Information Technology Services, 2024  
 U.S.G.S. National Hydrography Dataset,  
 2024  
 City of Mount Vernon Department of  
 Planning and Community Development,  
 2024



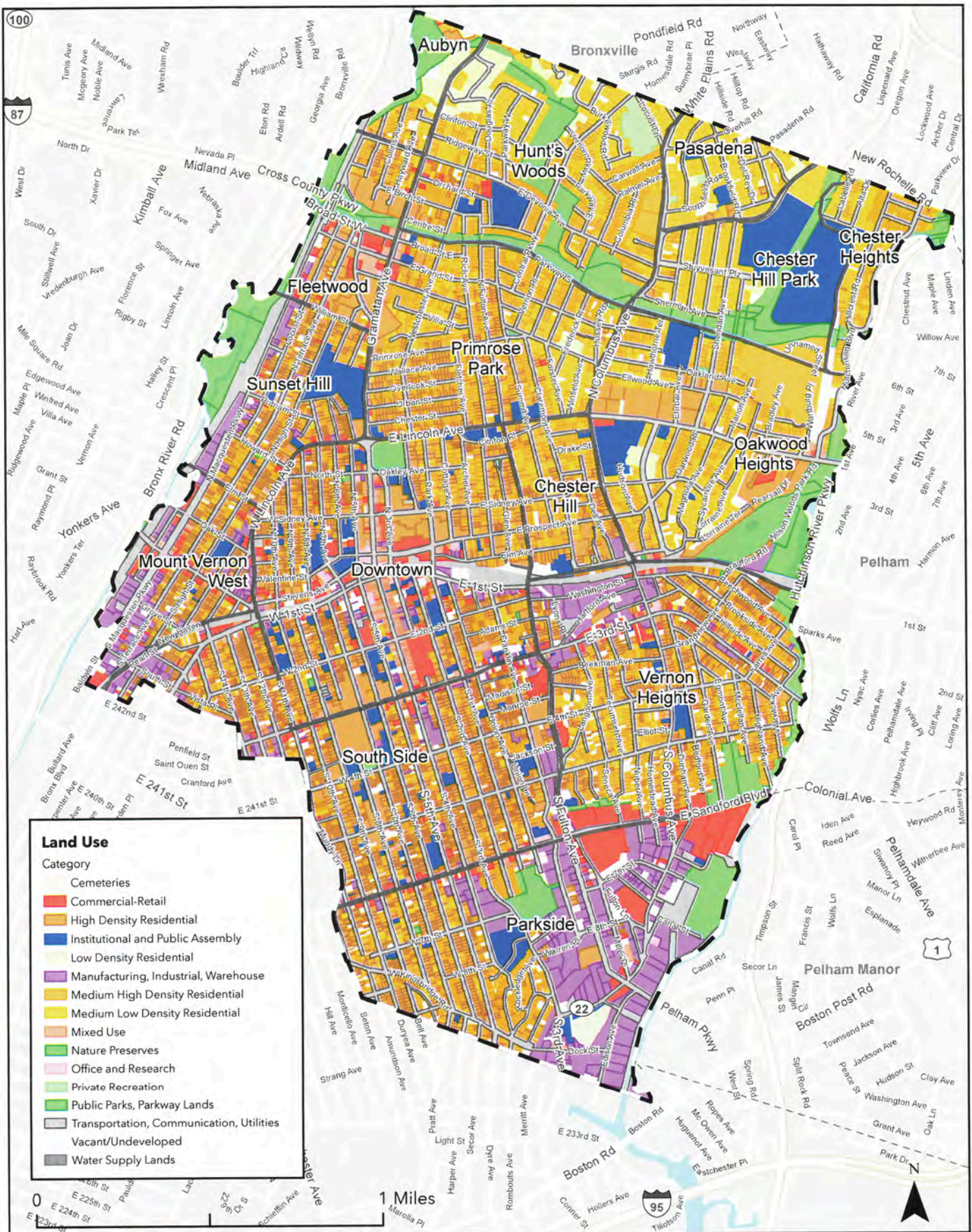
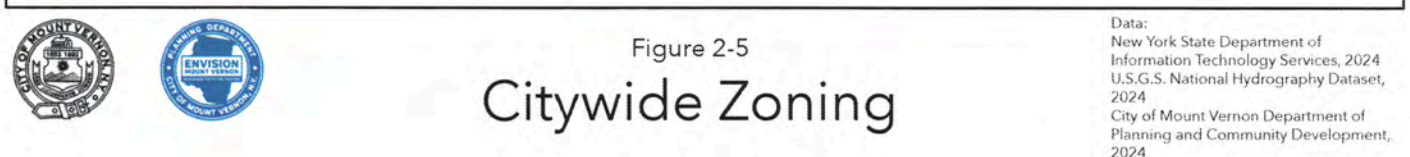


Figure 2-4  
Land Use

Data:  
City of Mount Vernon Planning and  
Community Development, 2025  
New York State Department of  
Information Technology Services, 2024  
U.S.G.S. National Hydrography Dataset,  
2024







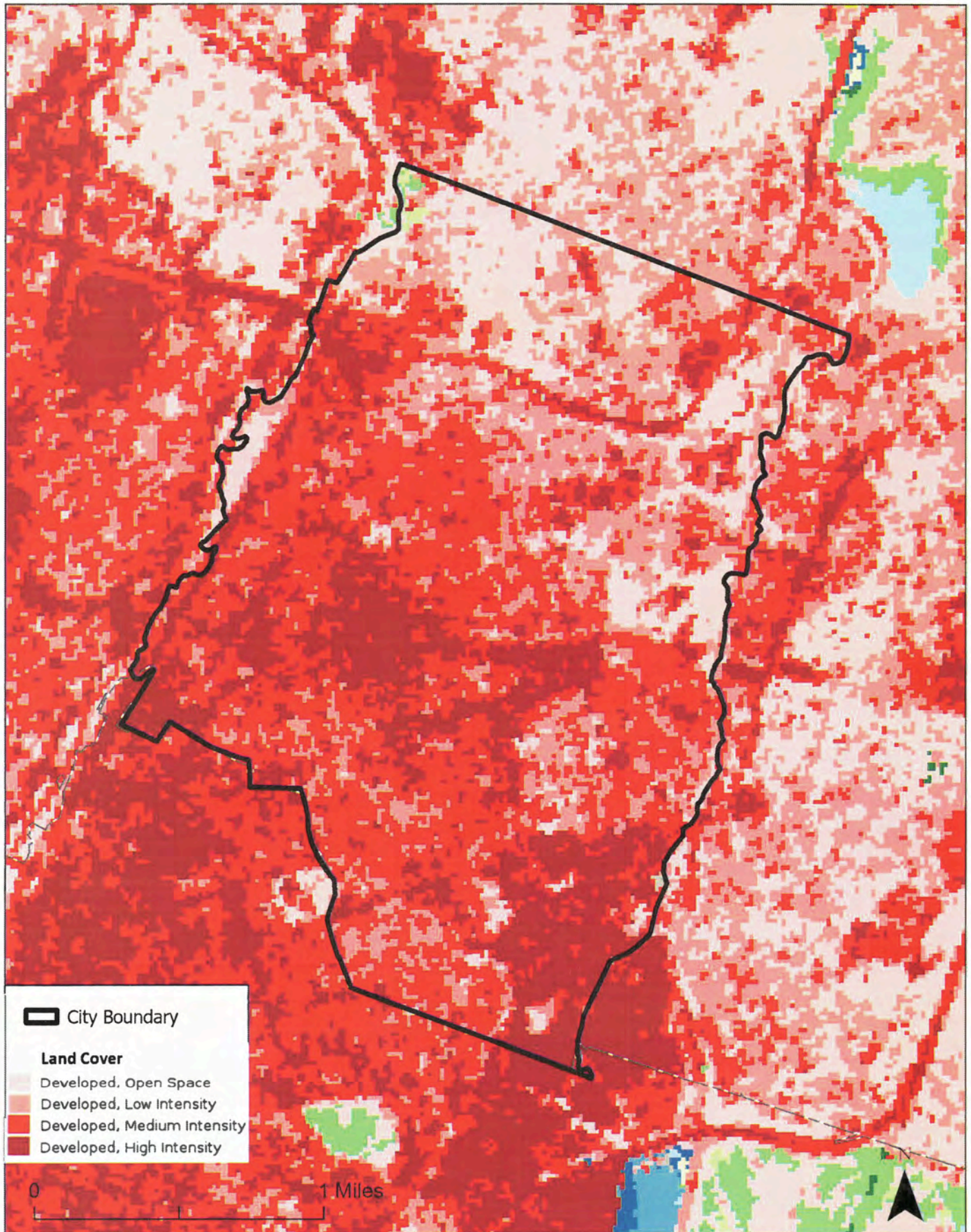


Figure 2-6  
USGS Land Cover

Data:  
Westchester County GIS, 2022  
New York State Department of Information  
Technology Services, 2024  
U.S.G.S. National Hydrography Dataset, 2024



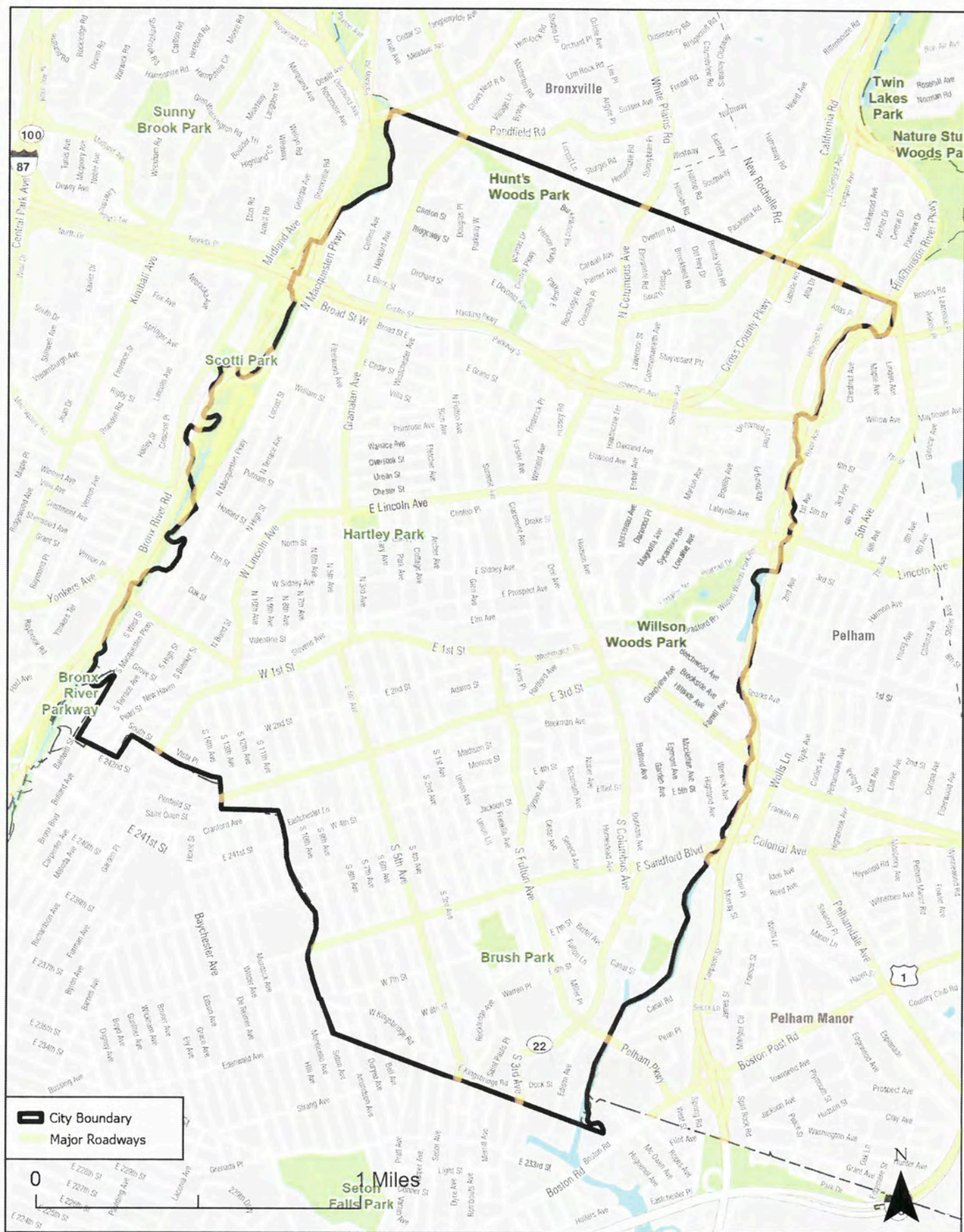


Figure 2-13  
Mount Vernon Major Roadways

Data:  
Westchester County GIS, 2022  
New York State Department of Information  
Technology Services, 2024  
U.S.G.S. National Hydrography Dataset, 2024



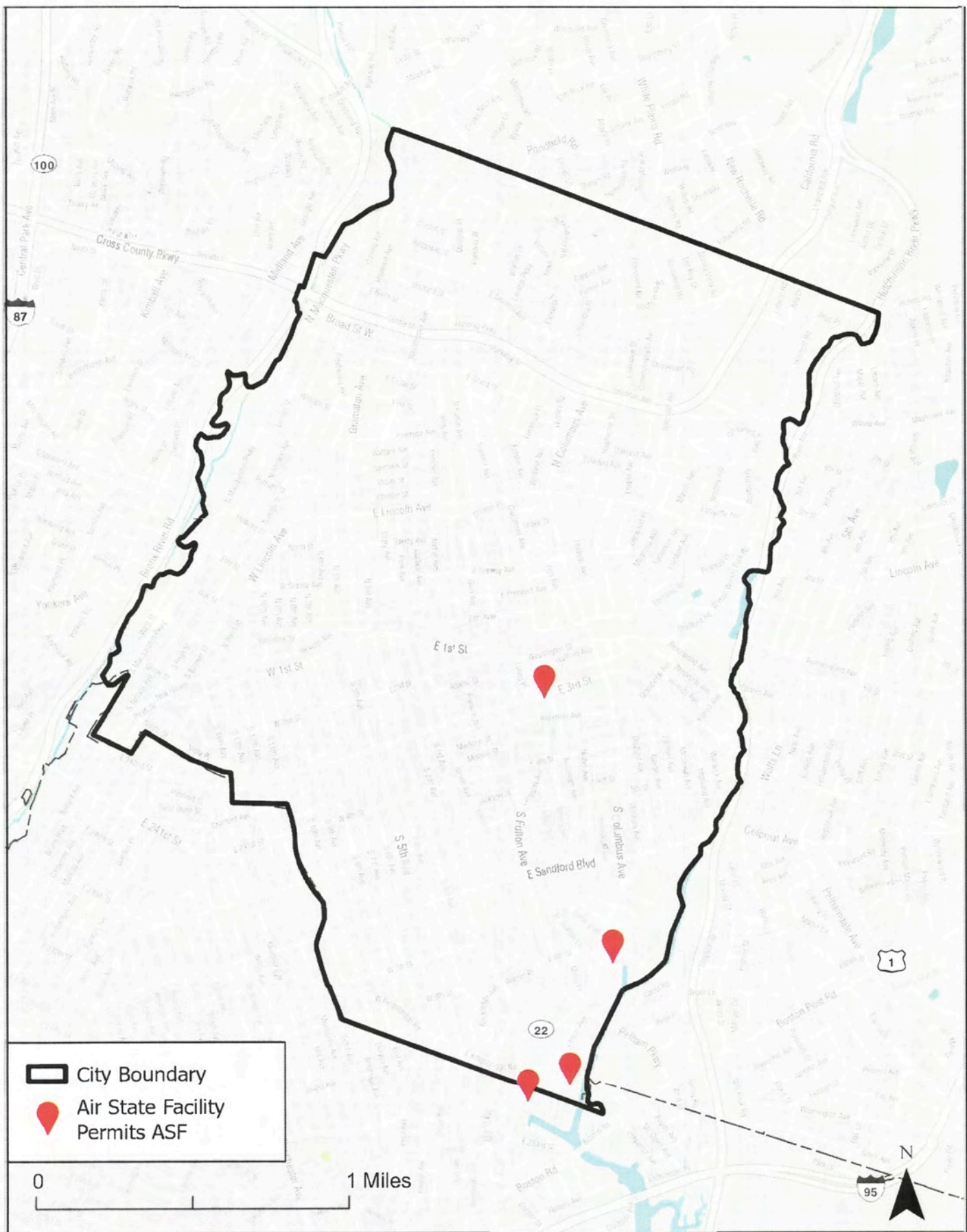


Figure 2-11  
NYS Air Facility Permits

Data:  
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New York State Department of Information  
Technology Services, 2024  
U.S.G.S. National Hydrography Dataset, 2024  
NYSDEC





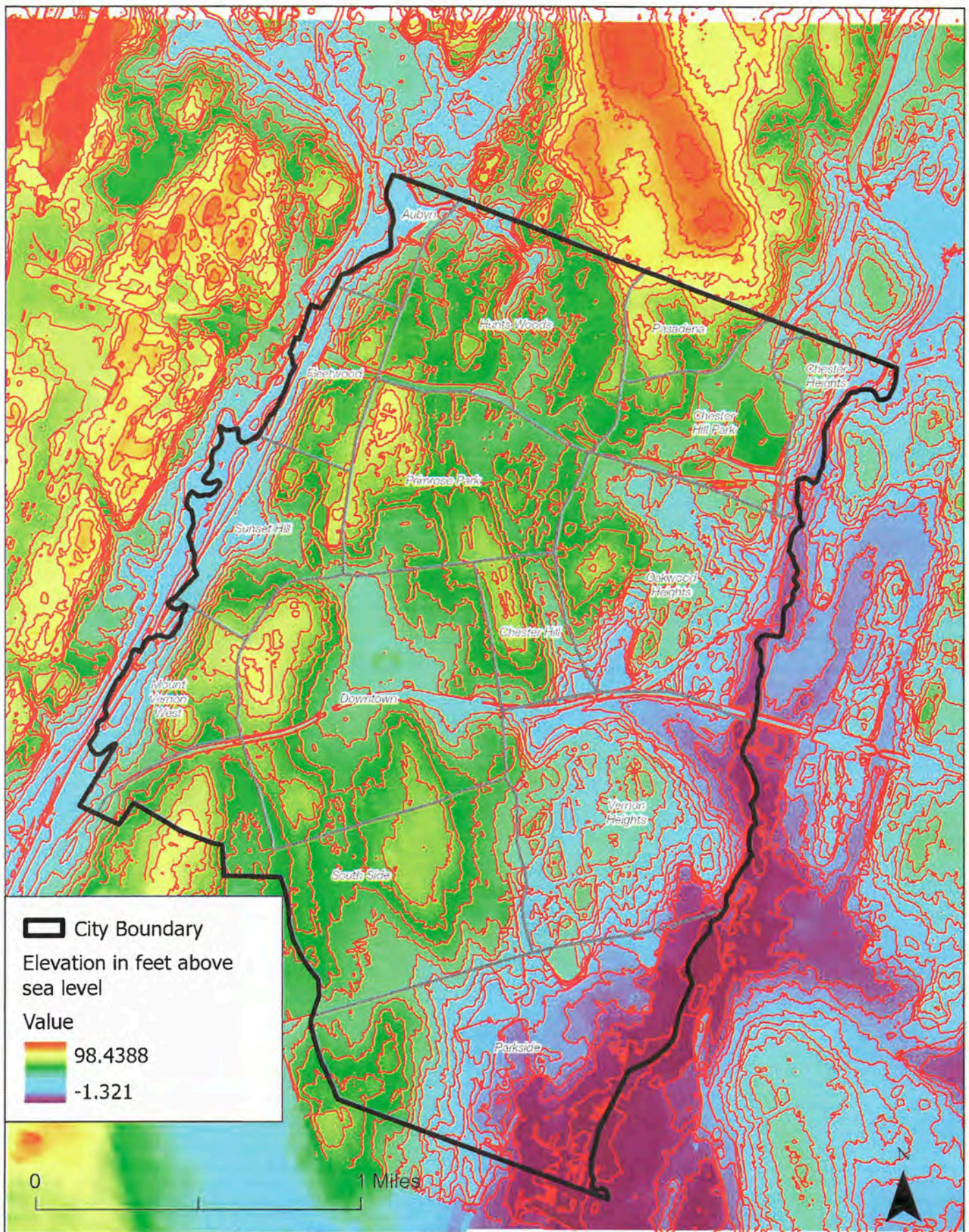
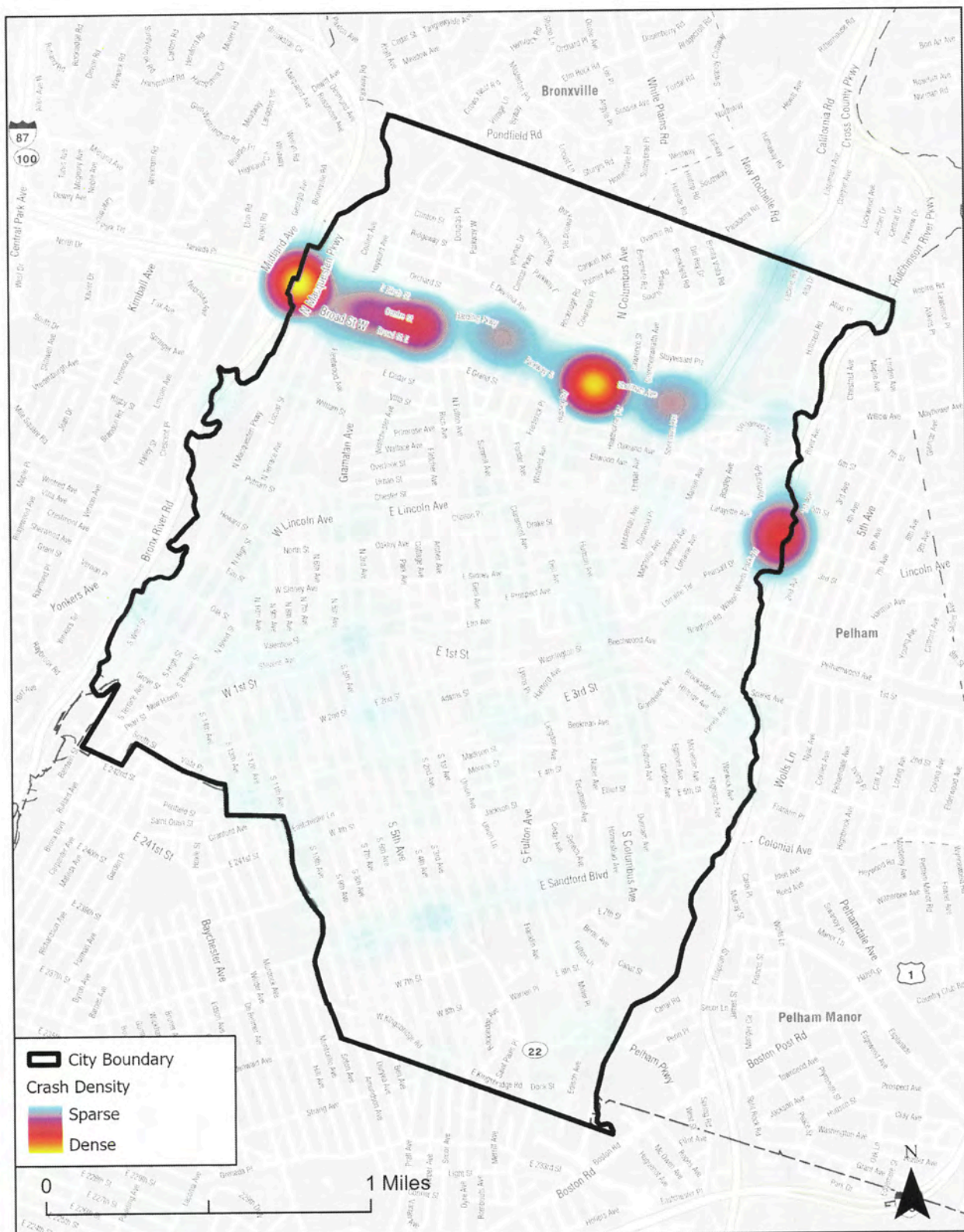


Figure 2-10  
Elevation

Data:  
Westchester County GIS, 2022  
New York State Department of Information  
Technology Services, 2024  
U.S.G.S. National Hydrography Dataset, 2024







Data  
 Westchester County GIS, 2022  
 New York State Department of Information  
 Technology Services, 2024  
 U.S.G.S. National Hydrography Dataset, 2024  
 Crash density data, AKRF, 2025

Mount Vernon Crash Heatmap  
 2-18





**Existing Zoning**

RMF-15

RMF-10

RMF-6.75

R2-4.5

Sunset Hill

Downtown

Mount Vernon West

RMF-15

RMF-10

RMF-6.75

R2-4.5

Sunset Hill

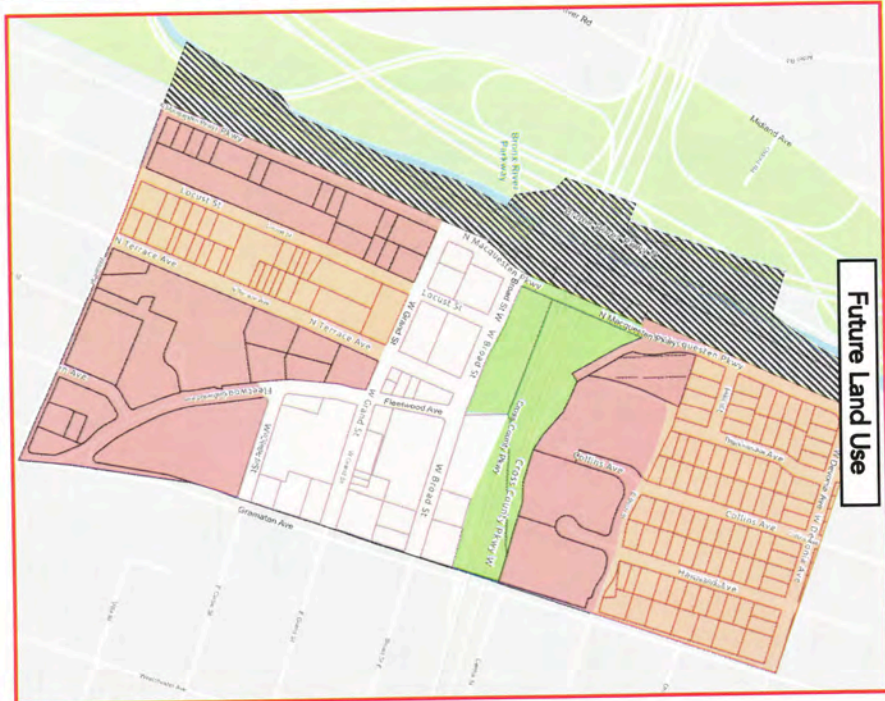
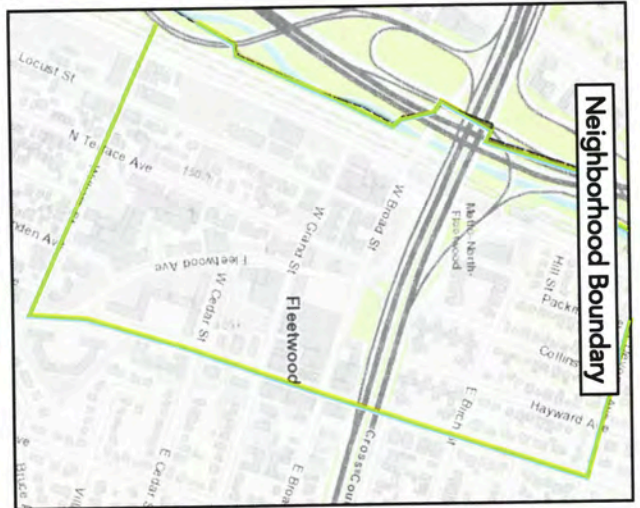
Downtown

Mount Vernon West

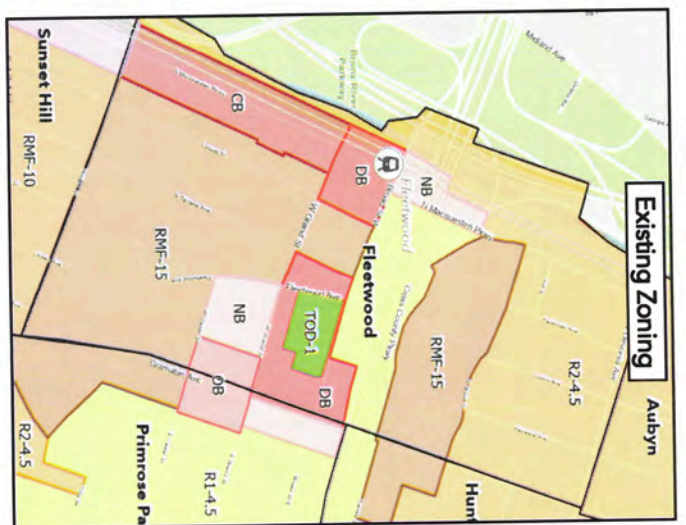




# Fleetwood



- Medium Density Residential
- High Density Residential
- Neighborhood Mixed-Use
- Recreation/Open Space
- Transportation



- Core
- Edge
- Node
- Neighborhood



**Envision Mount Vernon** is both aspirational and practical. It establishes 36 broad goals to achieve over the next 10+ years, while also identifying 418 very specific objectives which must be undertaken to achieve those goals. The Plan preserves the integrity of the City's single-family neighborhoods by maintaining their existing zoning densities and patterns while channeling new growth into the downtown and areas supported by transit. This proximity to transit allows for adjustments in parking ratios in these areas, while maintaining traditional parking ratios throughout the balance of the City.

Ultimately, **Envision Mount Vernon** represents a shared commitment to make Mount Vernon a healthier, safer, more connected, and more equitable city for current and future generations.



- Medium Density Residential
- Medium High Density Residential
- High Density Residential
- Neighborhood Mixed-Use
- Corridor Mixed-Use
- Downtown Mixed-Use
- General Commercial
- Industrial
- Civic Uses
- Recreation & Open Space
- Transportation

As illustrated in the following table, the Placemaking chapter of *Envision Mount Vernon* provides suggested F.A.R.s and maximum building heights for each of the land use classifications noted above. These are intended as a guide when considering the desired density that would be established in the future zoning code revision, while allowing for maximum flexibility to empower local residents and leaders to shape their neighborhoods.

Table EX-1 Suggested F.A.R.s and Building Heights			
Zoning Classification	Designation	F.A.R.	Building Height (Stories)
<b>Low Density Residential</b>			
Low Density	LD-1	0.3 – 0.75	2 ½
Low Density	LD-2	0.75 – 1.25	2 ½
<b>Medium Density</b>			
Low Medium Density	LM-1	1.5 – 2.0	2 ½
Low Medium Density	LM-2	2.0 – 2.5	2 ½
Medium Density	MD-1	2.5 – 3.0	4
Medium Density	MD-2	3.5 – 4.0	6
Medium High Density	MD-3	4.5 – 5.0	8
<b>High Density</b>			
High Density	HD-1	6.5	9
High Density	HD-2	8.0	12
High Density	HD-3	8.0	15
High Density	HD-4	8.0	21
<b>Neighborhood Mixed-Use</b>			
Neighborhood Mixed-Use	NMU	2.0 – 4.0	2 – 6
<b>Corridor Mixed-Use</b>			
Corridor Mixed-Use	CMU-1	2.0 – 3.0	2 – 4
Corridor Mixed-Use	CMU-2	3.0 – 4.5	4 – 6
Corridor Mixed-Use	CMU-3	4.5 – 6.5	6 – 9
Corridor Mixed-Use	CMU-4	6.5 – 8.0	10 – 12

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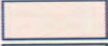

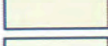




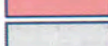
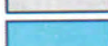
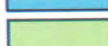

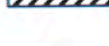
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EX -8

For each of the 13 land use classifications noted above, suggested F.A.R.s and maximum building heights are provided. These are intended as a guide when considering the desired density that would be established in the future zoning code revision, while allowing for maximum flexibility to empower local residents and leaders to shape their communities. The recommended F.A.R. ranges in certain single-family zones will bring large homes on smaller lots that were built prior to the current zoning code into compliance when the new zoning ordinance goes into effect. A full city-wide analysis will be conducted to identify such properties and bring them into compliance accordingly.

The following symbols are used in the following pages to graphically represent the various land use classifications.

	High Density
	Medium-High Density
	Medium Density
	Low-Medium Density
	Low Density
	General Commercial
	Neighborhood Mixed Use
	Corridor Mixed Use
	Downtown Mixed Use
	Industrial
	Civic
	Recreation/Open Space
	Transportation

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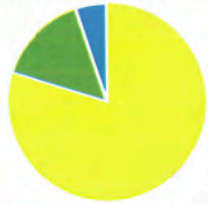
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## Low Density Residential

**Low Density Residential** – This category includes detached single-family homes on individual lots characterized by larger yard setbacks and robust landscaping. Street trees and sidewalks define the public streetscape. These areas are auto-centric and have limited access to public transit. They are separated from the Downtown and other business districts by intermediate land uses of higher intensity. Neighborhood civic uses, such as houses of worship and schools are found in this category, as are neighborhood parks.

Low Density Residential areas can be divided into two subcategories based on suggested F.A.R.'s; LD-1 and LD-2.

Illustrative Precedent Images		
		
<b>Types of Allowed Uses</b> <ul style="list-style-type: none"> <li>Single-Family Residential</li> <li>Low-Rise Civic Uses</li> <li>Recreational Uses</li> </ul>	<b>Optimum Mix of Uses</b>  <ul style="list-style-type: none"> <li>Low Density Residential</li> <li>Recreational &amp; Open Space</li> <li>Civic Uses</li> </ul>	<b>Suggested F.A.R.</b> <p><b>LD-1</b> 0.3 – 0.75 F.A.R. 2 ½ stories</p> <p><b>LD-2</b> 0.75 – 1.25 F.A.R. 2 ½ stories</p>

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- **Amend the Zoning Code to allow and regulate interim and public realm uses.**
  - Update the definitions section to include uses and concepts such as “food truck,” “pop-up retail” “farmers market,” “community plaza,” “vacant lot reuse,” and “temporary activation” (in addition to the public art definitions described at the beginning of this section).
  - Establish clear permitting procedures for short-term, pop-up, and mobile uses, such as food trucks, markets, events.
- **Reduce off-street parking requirements in transit oriented areas and allow shared parking.** Reevaluate and consider adjusting minimum parking requirements within ¼ mile of train stations and encourage shared parking between complementary uses to free up space for public use or redevelopment. As noted in the Mobility chapter, the City’s current parking requirements are comparatively higher than in nearby cities.
- **Explore adoption of a vacancy tax.** Update the City Code to enable a vacancy tax or vacancy registration fee for persistently unused and blighted properties, particularly commercial properties. Revenue could be reinvested into activation or maintenance funds.
- **Create a Redevelopment and Activation Toolkit.** Develop a user-friendly guide for community members outlining model interim uses, pre-approved design elements, permitting pathways, and potential funding sources. For example, Baltimore’s Department of Transportation allows community organizations to implement creative projects in the city’s roadway, sidewalks, alleys, and other areas maintained by the Baltimore DOT; their “Art in the Right of Way Toolkit” guides users through the process.
- **Support partnerships with community-based organizations and neighborhood groups.** Engage local nonprofits, artist collectives, business associations (e.g., Chamber of Commerce), schools and educational organizations to program and maintain reused spaces.
- **Pilot and publicize early success stories.** Launch and broadcast early activations as visible demonstrations of feasibility and to build momentum. Install branded signage and track community response to build momentum.
- **Ensure maintenance and stewardship.** Require all interim and permanent activations to include site management plans. Encourage stewardship agreements with neighborhood organizations, including city support where appropriate.

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For these economic goals to be achieved, sustained, inclusive, and impactful, Mount Vernon must be well organized and focused on common goals. Strong governance and coordination will be required to turn economic aspirations into tangible improvements for the City. All of the goals and objectives set forth below are designed to beneficially enhance the City's economy. Calculation of specific development costs and long-term budgetary impacts of future rezonings are beyond the scope of this plan but need to be addressed as part of future zoning ordinance reconsiderations, zoning amendment applications and/or related fiscal impact analyses.

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This section outlines the most important actions that Mount Vernon can take over the next 10 years to jumpstart its economic development efforts, encourage investment, and raise the standard of living for its residents.

**Goal: Support economic vitality in the City of Mount Vernon.**

**Objective: Create positive economic momentum by establishing Mount Vernon as a city where businesses want to locate, and where it is easy to make investments that benefit city residents.**

- Utilize the RFEI (Request for Expressions of Interest) process to solicit development proposals for City-owned properties throughout Mount Vernon. The RFEI process allows municipalities to solicit development proposals for publicly owned lands. The City of Mount Vernon – including its IDA and URA – currently owns dozens of parcels, with and without existing structures throughout the City. As illustrated on Figure 5-3 – City Owned Parcels Development Potential, these sites offer promising and immediate opportunities to jumpstart economic momentum and promote redevelopment in the City. Several cities, towns, and villages in New York have recently attracted transformational developments to their communities through the RFEI process. Advertising these public properties for development through a values-driven RFEI can unlock significant private investment while advancing Mount Vernon's goals for housing, infrastructure modernization, streetscape improvements, and tax revenue. In other words, a sound RFEI process can put underutilized land to work for public good. Because this particular strategy is extremely important in the context of Mount Vernon – the City owns an unusually large number of parcels and has a deep desire for downtown investment and revitalization – we have taken the time to outline the most essential steps in the process.





Goal: Ensure that City regulations promote efficient parking and use and of public spaces.

Objective: Right-size off-street parking requirements for new development.

- **Reevaluate parking requirements in transit oriented areas.** Parking minimums in transit-oriented areas should be reevaluated to limit excess parking. Building parking is a large expense of new development and costs are passed down to residents and customers. The existing off-street parking requirements in the City, most notably residential parking requirements, exceed those of other Westchester cities, in particular in areas with access to Metro-North stations and transit, and could be lowered to build a more sustainable transportation system. For example, the parking requirement for multifamily residential units can be decreased to one parking space per dwelling unit within a quarter mile of the Mount Vernon East, Mount Vernon West, and Fleetwood Metro-North stations to mirror the parking requirements of cities such as New Rochelle, Yonkers, and White Plains.
- **Assess parking demand.** The demand for off-street parking will vary across uses, intensities, and areas of the City and the City's zoning should be updated to account for these variations. For example, a restaurant downtown may have a lower off-street parking requirement than a restaurant farther away from shared municipal infrastructure.
- **Calibrate parking with other redevelopment objectives.** When finalizing parking requirements, attention should be given to not only the "typical" demand of a use in a given location (e.g., 1-BR apartments in a downtown area), but also to the trade-offs that are inherent in requiring certain amounts of off-street parking (i.e., space and cost). As such, calibrating parking requirements should be done in conjunction with other redevelopment objectives (e.g., where in City, what co-benefits), opportunities (e.g., easier to deck/structure parking in certain areas and on certain sites), and economic realities (e.g., in conjunction with other financial incentives such as IDA, Brownfield Cleanup Program, and others). In addition, it is known that the amount of parking provided for a building, especially for multifamily housing in downtowns, strongly influences the parking demand at that location. As such, requiring too much parking will actually encourage more cars to locate downtown than if less parking was required.

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- **Shared parking.** Utilize municipal parking resources and encourage shared parking among uses, and even across lots where appropriate. This can help to reduce the amount of parking that must accompany a new development.
- **Fee-in-Lieu.** The City should consider increasing the “fee in lieu” of parking such that the City has an adequate fund base to maintain, and expand if needed, its municipal parking infrastructure.
- **Existing residential neighborhoods – The existing parking ratios in residential neighborhoods outside transit-oriented areas should remain unchanged.**

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**Objective: Re-allocate curbside spaces to reflect modern use patterns.**

- **Establish truck loading zones.** In commercial areas, there is limited parking available for trucks and delivery vehicles, leading to double parking which can block traffic. Establishing loading zones in key commercial areas creates a dedicated space for commercial uses such as trucks and food deliveries that require for short term parking. Loading areas help limit double parking and can be an improvement for vehicular, pedestrian, and bicycle safety. See the Public Realm section for a discussion of how the establishment of clear loading zones—particularly in compact, busy areas like Canal Village— helps increase safety for all users.





#	Goal	#	Objective	Time Frame	Cost	Responsibility
		3.1.19	Formalize crossing at 3rd Avenue and Fiske Place with a painted crosswalk, curb ramps, and signage.	Medium Term	\$\$\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>DPW</li> </ul>
		3.1.20	Permanently reconfigure N. 5 <sup>th</sup> Avenue between Prospect Avenue and Stevens Avenue (Roosevelt Square East) to be one-way southbound.	Medium Term	\$\$\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>DPW</li> </ul>
		3.1.21	Remove median to expand Roosevelt Square and consolidate existing bus stops to one location.	Medium Term	\$\$\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>DPW</li> </ul>
		3.1.22	Add pedestrian signals along 5 <sup>th</sup> Avenue corridor at all signalized locations.	Medium Term	\$\$\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>DPW</li> </ul>
		3.1.23	Painting/repainting faded and missing crosswalks along the 5 <sup>th</sup> Avenue (?) corridor.	Short Term	\$	<ul style="list-style-type: none"> <li>DPW</li> </ul>
		3.1.24	Enhance lighting under Stevens Avenue garage bridge over 5 <sup>th</sup> Avenue and widen existing sidewalks.	Medium Term	\$\$\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>DPW</li> </ul>
		3.1.25	Add sidewalk along the north side of W. 1 <sup>st</sup> Street between S. 6 <sup>th</sup> Avenue and S. 5 <sup>th</sup> Avenue.	Medium Term	\$\$\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>DPW</li> </ul>
		3.1.26	Add crosswalks and curb ramps at the north and west legs of S. 5 <sup>th</sup> Avenue and W. 1 <sup>st</sup> Street.	Medium Term	\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>DPW</li> </ul>
		3.1.27	Promote bicycle access and usage throughout the City through improving bicycle infrastructure, including shared and dedicated bicycle lanes, shared use paths, and bicycle racks, should be added throughout the City, focusing on key areas such as transit hubs, civic buildings, and schools.	Long Term	\$\$\$	<ul style="list-style-type: none"> <li>PCD</li> <li>Mayor</li> <li>City Council</li> <li>DPW</li> </ul>
		3.1.28	Prioritize connections to the existing regional bikeways and trails, such as the East Coast Greenway, Hutchinson River Trail, Leatherstocking Trail, Bronx River Parkway, and bicycle lanes in the Bronx.	Long Term	\$\$\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>City Council</li> <li>PCD</li> <li>DPW</li> </ul>
		3.1.29	Provide new mobility options such as non-motorized or electric vehicles.	Long Term	\$\$\$	<ul style="list-style-type: none"> <li>Outside Agencies</li> </ul>
		3.1.30	Create bicycle, e-bike, and/or e-scooter share systems that provide additional mobility options in Mount Vernon. These systems can serve as last-mile connections to transit hubs, in addition to intracity transportation serving schools and commercial areas. Service can be initially focused on the Mount Vernon East, Mount Vernon West, and Fleetwood Metro-North stations and Pettillo Plaza and nearby residential areas, to be expanded more widely as demand is quantified.	Long Term	\$\$\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>City Council</li> <li>PCD</li> <li>DPW</li> <li>Outside Agencies</li> <li>Private Companies</li> </ul>
		3.1.31	Develop microtransit systems, which is a flexible form of shuttle transportation, to be established within Mount Vernon on a fixed-route or on-demand basis. Microtransit can help to serve areas that are currently underserved by public transportation (i.e., gaps in existing Bee-Line bus system). Provision of this service be contracted out to turnkey operators, such that the City does not have to manage or operate the system.	Long Term	\$	<ul style="list-style-type: none"> <li>Outside Agencies</li> <li>Private Companies</li> </ul>
3.2	Ensure that City regulations promote	3.2.1	Right-size off-street parking requirements for new development in transit-oriented areas. Parking minimums should be reevaluated in areas within ¼ mile of train stations to limit excess parking.	Short Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>City Council</li> </ul>



#	Goal	#	Objective	Time Frame	Cost	Responsibility
	efficient parking and use of public spaces.	3.2.2	Update parking requirements based on geography by modifying requirements in <u>areas within ¼ mile of</u> transit hubs, while maintaining traditional parking ratios throughout the balance of the City.	Short Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>City Council</li> </ul>
		3.2.3	Calibrate parking requirements in conjunction with other redevelopment objectives, opportunities and economic realities.	Medium Term	\$	<ul style="list-style-type: none"> <li>PCD</li> </ul>
		3.2.4	Utilize municipal parking resources and encourage shared parking among uses.	Short Term	\$	<ul style="list-style-type: none"> <li>PCD</li> </ul>
		3.2.5	Consider increasing the "fee in lieu" of parking such that the City has an adequate fund base to maintain, and expand if needed, its municipal parking infrastructure.	Short Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>City Council</li> </ul>
		3.2.6	Re-allocate curbside spaces to reflect modern use patterns.	Short Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>Police Dept.</li> <li>DPW</li> </ul>
		<b>Public Realm &amp; Streetscapes</b>				
4.1	Advance a placemaking framework that enhances Mount Vernon's public realm as an inclusive reflection of its cultural identity through engaging design, public art, and adaptive reuse.	4.1.1	Enhance neighborhood corridors by installing district signage, art and interpretative markers.	Short Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>DPW</li> <li>Arts Organizations</li> </ul>
		4.1.2	Designate special character corridors or areas. Amend the City's zoning code to incorporate design standards tailored to specific corridors.	Medium Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>City Council</li> </ul>
		4.1.3	Reconnect Gramatan and South 4th Avenues under a unified identity.	Medium Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>City Council</li> </ul>
		4.1.4	Identify a famous Mount Vernonite to unify and reinforce the 4th Avenue corridor as a civic and cultural center reflecting Mount Vernon's contributions to music and entertainment.	Medium Term	\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>City Council</li> </ul>
		4.1.5	Create an "open streets" program.	Short Term	\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>City Council</li> </ul>
		4.1.6	Incorporate musical and entertainment-themed public art as described in Chapter , The Public Realm and Streetscapes.	Short Term	\$	<ul style="list-style-type: none"> <li>Mayor</li> <li>City Council</li> </ul>
		4.1.7	Require sidewalk repair and improvements as part of the development process. Revise zoning/site plan review requirements to mandate sidewalk repairs and improvements, such as widening, tree pits, and street lighting for applicable projects.	Medium Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>City Council</li> <li>Planning Board</li> </ul>
		4.1.8	Install pedestrian furniture and shaded benches, particularly along the West Lincoln Avenue commercial corridor and at midpoints along the long blocks of S. Columbus Avenue.	Short Term	\$	<ul style="list-style-type: none"> <li>DPW</li> <li>PCD</li> </ul>
		4.1.9	Conduct an audit of the pedestrian experience and prioritize locations for improvements based on that audit.	Medium Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>DPW</li> </ul>
		4.1.10	Coordinate with New City Parks for access improvements to the 4th Street Park, Brush Park, and Madison Playground.	Short Term	\$	<ul style="list-style-type: none"> <li>PCD</li> <li>DPW</li> </ul>

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

## B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No		

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☐ No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☐ No

If Yes, identify the plan(s):

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c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☐ No

If Yes, identify the plan(s):

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<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	□ Yes □ No
<div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div>	
b. Is the use permitted or allowed by a special or conditional use permit?    N/A	□ Yes □ No
c. Is a zoning change requested as part of the proposed action? If Yes,	□ Yes □ No
i. What is the proposed new zoning for the site? _____	
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located? _____	
b. What police or other public protection forces serve the project site? _____	
c. Which fire protection and emergency medical services serve the project site? _____	
d. What parks serve the project site? _____ _____	

#### D. Project Details

<b>D.1. Proposed and Potential Development</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
c. Is the proposed action an expansion of an existing project or use? □ Yes □ No i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)?    % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? □ Yes □ No If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____ ii. Is a cluster/conservation layout proposed? □ Yes □ No iii. Number of lots proposed? _____ iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? □ Yes □ No i. If No, anticipated period of construction: _____ months ii. If Yes: <ul style="list-style-type: none"> <li>• Total number of phases anticipated _____</li> <li>• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year</li> <li>• Anticipated completion date of final phase _____ month _____ year</li> <li>• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____  <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> </li> </ul>	

f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <span style="float: right;"><input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____</span> iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, describe. _____ _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> ix. Summarize site reclamation goals and plan: _____ _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

*ii.* Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*iii.* Will the proposed action cause or result in disturbance to bottom sediments? Yes ☐ No ☐  
If Yes, describe: \_\_\_\_\_

*iv.* Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No ☐  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

*v.* Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

*c.* Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No ☐  
If Yes:

*i.* Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

*ii.* Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No ☐  
If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No ☐
- Is the project site in the existing district? ☐ Yes ☐ No ☐
- Is expansion of the district needed? ☐ Yes ☐ No ☐
- Do existing lines serve the project site? ☐ Yes ☐ No ☐

*iii.* Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No ☐  
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

*iv.* Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No ☐  
If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

*v.* If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

*vi.* If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

---

*d.* Will the proposed action generate liquid wastes? ☐ Yes ☐ No ☐  
If Yes:

*i.* Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

*ii.* Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

*iii.* Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No ☐  
If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No ☐
- Is the project site in the existing district? ☐ Yes ☐ No ☐
- Is expansion of the district needed? ☐ Yes ☐ No ☐

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?             <div style="margin-left: 20px;">               _____ Square feet or _____ acres (impervious surface)                _____ Square feet or _____ acres (parcel size)             </div> </li> <li>ii. Describe types of new point sources. _____</li> </ul>	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	
<ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> </ul>	
<ul style="list-style-type: none"> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	



<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <span style="margin-left: 20px;"><input type="checkbox"/> Morning</span> <span style="margin-left: 20px;"><input type="checkbox"/> Evening</span> <span style="margin-left: 20px;"><input type="checkbox"/> Weekend</span>  <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul>	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
     • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
     • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

## E. Site and Setting of Proposed Action

<b>E.1. Land uses on and surrounding the project site</b>			
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. <input type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ ii. If mix of uses, generally describe: _____ _____			
b. Land uses and coverytypes on the project site.			
Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

<p>c. Is the project site presently used by members of the community for public recreation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: explain: _____</p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database  <input type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database         </div> <div>           Provide DEC ID number(s): _____            Provide DEC ID number(s): _____         </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p>	



v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____            _____            _____</li> </ul>																						
<b>E.2. Natural Resources On or Near Project Site</b>																						
a. What is the average depth to bedrock on the project site? _____ feet																						
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %																						
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;"></td> <td style="border-bottom: 1px solid black; width: 10%; text-align: right;">%</td> <td style="border-bottom: 1px solid black; width: 30%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>		%			%			%														
	%																					
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	%																					
d. What is the average depth to the water table on the project site? Average: _____ feet																						
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td style="width: 30px;"><input type="checkbox"/> Well Drained:</td> <td style="width: 20px; text-align: right;">_____ %</td> <td style="width: 50px;">of site</td> </tr> <tr> <td><input type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">_____ %</td> <td>of site</td> </tr> <tr> <td><input type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">_____ %</td> <td>of site</td> </tr> </table>	<input type="checkbox"/> Well Drained:	_____ %	of site	<input type="checkbox"/> Moderately Well Drained:	_____ %	of site	<input type="checkbox"/> Poorly Drained	_____ %	of site													
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f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 30px;"><input type="checkbox"/> 0-10%:</td> <td style="width: 20px; text-align: right;">_____ %</td> <td style="width: 50px;">of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ %</td> <td>of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">_____ %</td> <td>of site</td> </tr> </table>	<input type="checkbox"/> 0-10%:	_____ %	of site	<input type="checkbox"/> 10-15%:	_____ %	of site	<input type="checkbox"/> 15% or greater:	_____ %	of site													
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<input type="checkbox"/> 10-15%:	_____ %	of site																				
<input type="checkbox"/> 15% or greater:	_____ %	of site																				
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, describe: _____ _____																						
h. Surface water features. <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?</td> <td style="width: 20%; text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td>ii. Do any wetlands or other waterbodies adjoin the project site?</td> <td style="text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> </table> If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?</td> <td style="width: 20%; text-align: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> </table> iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10px;">•</td> <td style="width: 10px;">Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 10px;">Classification _____</td> </tr> <tr> <td>•</td> <td>Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>•</td> <td>Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>•</td> <td>Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>	i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	<input type="checkbox"/> Yes <input type="checkbox"/> No	ii. Do any wetlands or other waterbodies adjoin the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No	iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No	•	Streams:	Name _____	Classification _____	•	Lakes or Ponds:	Name _____	Classification _____	•	Wetlands:	Name _____	Approximate Size _____	•	Wetland No. (if regulated by DEC)	_____	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	<input type="checkbox"/> Yes <input type="checkbox"/> No																					
ii. Do any wetlands or other waterbodies adjoin the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No																					
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No																					
•	Streams:	Name _____	Classification _____																			
•	Lakes or Ponds:	Name _____	Classification _____																			
•	Wetlands:	Name _____	Approximate Size _____																			
•	Wetland No. (if regulated by DEC)	_____																				
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____																						
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>																						
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>																						
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>																						
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <table style="width: 100%; border: none;"> <tr> <td style="width: 10px;">i.</td> <td style="width: 10px;">Name of aquifer:</td> <td>_____</td> </tr> </table>	i.	Name of aquifer:	_____																			
i.	Name of aquifer:	_____																				

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <span style="margin-left: 20px;"><input type="checkbox"/> Biological Community</span> <span style="margin-left: 20px;"><input type="checkbox"/> Geological Feature</span></p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: _____</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</li> <li>iii. Distance between project and resource: _____ miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name City of Mount Vernon Date November 20, 2025

Signature  Title City Council President

**PRINT FORM**

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Project :

Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>		
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		



<b>2. Impact on Geological Features</b> The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>3. Impacts on Surface Water</b> The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	<input type="checkbox"/> NO	<input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	<input type="checkbox"/> NO	<input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. D.2.f., D.2.h, D.2.g) <i>If “Yes”, answer questions a - f. If “No”, move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflouorocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in “a” through “c”, above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If “Yes”, answer questions a - j. If “No”, move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b> The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
<p>If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:</p> <p>e.</p> <p>i. The proposed action may result in the destruction or alteration of all or part of the site or property.</p> <p>ii. The proposed action may result in the alteration of the property’s setting or integrity.</p> <p>iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.</p>	<p>E3e, E3g, E3f</p> <p>E3e, E3f, E3g, E1a, E1b</p> <p>E3e, E3f, E3g, E3h, C2, C3</p>	<input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/>   	<input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/>   

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>13. Impact on Transportation</b> The proposed action may result in a change to existing transportation systems. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>14. Impact on Energy</b> The proposed action may cause an increase in the use of any form of energy. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

<b>15. Impact on Noise, Odor, and Light</b> The proposed action may result in an increase in noise, odors, or outdoor lighting. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☐ NO

☐ YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			



<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Project :

Date :

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status: ☐ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information  
SEE ATTACHED EAF PART 3 SUPPLEMENT.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
City of Mount Vernon City Council as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Envision Mount Vernon: City of Mount Vernon Comprehensive Plan Update

Name of Lead Agency: City of Mount Vernon City Council

Name of Responsible Officer in Lead Agency: Danielle Browne, Esq.

Title of Responsible Officer: President, City Council

Signature of Responsible Officer in Lead Agency:  Danielle Browne Date: 11/25/25

Signature of Preparer (if different from Responsible Officer) James Rausse, FAICP, WEDG Date:

**For Further Information:**

Contact Person: James Rausse, FAICP, WEDG

Address: City Hall, 1 Roosevelt Square, Mount Vernon, NY 10550

Telephone Number: 914-840-4030

E-mail: jrausse@mountvernonny.gov

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**

**State Environmental Quality Review Act  
Full Environmental Assessment Form – Part 3 Supplement**

**Adoption of City of Mount Vernon Comprehensive Plan – “Envision Mount Vernon”**

**November 25, 2025**

**Introduction**

The proposed action that is the subject of this Full Environmental Assessment Form (“**EAF**”) Part 3 Supplement (“**EAF Supplement**”) is the City of Mount Vernon (“**City**”) City Council’s (“**City Council**”) adoption of a new comprehensive plan titled “Envision Mount Vernon” (“**Comprehensive Plan**” or “**Proposed Action**”). This EAF Supplement has been prepared pursuant to the New York State Environmental Quality Review Act and its implementing regulations (6 N.Y.C.R.R. Part 617) (“**SEQRA**”). The purpose of this EAF Supplement is to provide the City Council’s reasoned elaboration for its determination of significance regarding the Comprehensive Plan. The City Council finds that the Proposed Action will not have a significant adverse impact on the environment, and therefore preparation of an Environmental Impact Statement (“**EIS**”) is not required.

**Overview of the Comprehensive Plan**

The Comprehensive Plan is a long-range planning and policy document that provides a vision and framework for future growth, investment, and quality of life in the City for the next 10+ years. It is a roadmap for the future. It contains an implementation plan that includes 36 goals and 391 objectives to address the needs, concerns, challenges, and aspirations of the City. The implementation plan identifies priorities, costs, and responsible parties for each of the identified goals and objectives.

The City last adopted a comprehensive plan in 1968. It is the oldest municipal comprehensive plan in Westchester County. Since that time, the City has changed dramatically, necessitating a new, updated comprehensive plan. In 2022, the City began the process of updating its current plan to account for how the City has evolved, and to provide a long-term vision that adequately balances growth and revitalization with preservation and equity.

Envision Mount Vernon was created through a partnership between the City’s consultant team (including Cleary Consulting, AKRF, Hudson Valley Pattern for Progress, BRS, Inc., and Creative Urban Alchemy, LLC), the volunteer, 37-member Comprehensive Plan Advisory Committee, and City Staff, including the Department of Planning and Community Development. The Comprehensive Plan also includes the Mount Vernon Downtown Vision Report (“**Downtown Report**”), which was adopted in January 2024, and served as Phase 1 of this process. The City recognizes the consulting services of Metropolitan Urban Design Workshop during that phase. The recommendations in Envision Mount Vernon for the City’s downtown area build off and are consistent with the Downtown Report.



The collaborative process involved a robust schedule of extensive public outreach and forums, such as community meetings, workshops, and surveys, to ensure that the Plan reflects the voices and priorities of City residents across all neighborhoods, ages, and backgrounds. The Westchester County Planning Board, in its comment letter to the City Council referenced below, commended the City for its strong community engagement process, and recommended that the City continue to provide opportunities for everyone in the City to participate in the rezoning process that would follow the adoption of the Comprehensive Plan.

Through the extensive public engagement process for the Comprehensive Plan, community members and stakeholders expressed their hopes for a wide-range of changes in the City, such as: safer streets, improved parking and walkability, responsible government, attainable housing (including for seniors), stronger local businesses and economic development, accessible open spaces, enhanced infrastructure, more parks (and upgrades to existing parks), preservation of community character and historic resources, increased recreational opportunities, especially for the City's youth population, better schools and educational programming, and a healthier environment for all. The implementation plan in the Comprehensive Plan includes recommendations for achieving these goals and more.

The Comprehensive Plan itself does not propose or authorize any new zoning amendments or land development. It provides a roadmap toward future zoning amendments and reconsideration of the City's Zoning Code and Zoning Map, as well as for land development in a responsible manner. When performing its obligations under SEQRA, the City Council, as Lead Agency, is not required to speculate about potential future zoning amendments, development projects, or any other actions not currently before the Council. All future site-specific development proposals, as well as zoning amendments proposed following the adoption of the Comprehensive Plan to implement its goals and objectives, would undergo detailed SEQRA, land use, and zoning reviews by the agencies having jurisdiction, such as the City Council and City Planning Board ("**Planning Board**"), in accordance with all legal requirements. For this Proposed Action, the City Council is required under SEQRA to take a hard look only at the potential significant adverse environmental impacts that may result from the adoption of the policy recommendations in the Comprehensive Plan.

Envision Mount Vernon contains six chapters: Introduction, Taking Stock, Building a Vision, Placemaking, Core Concepts, and Implementation. The Implementation chapter contains a matrix that presents each goal and the various associated objectives designed to implement the goal.

The chapter titled Core Concepts identifies various concepts through which the Comprehensive Plan's placemaking vision can be successfully accomplished:

- Mount Vernon's Role in the Region
- Celebrating and Preserving Mount Vernon's Historic Legacy
- Neighborhood Diversity and Inclusion
- Public Realm & Streetscapes
- Housing Access for All
- Green Space & Connections to the Natural Environment
- Healthy, Safe and Active Communities
- Resiliency & Sustainability

- Economic Development
- Reliable & Modern Infrastructure
- Effective Government Service

The Comprehensive Plan also includes and builds upon the Downtown Report, which was a preliminary step in the Comprehensive Plan update process, and focused on an approximately 50-block area in and around downtown Mount Vernon.

### **Description of the Proposed Action**

The Proposed Action for purposes of SEQRA is the adoption of the Comprehensive Plan. Envision Mount Vernon aims to serve as a guide for future decision-making and prioritization of resources with respect to land use, zoning, and other policy decisions in the City.

The Proposed Action does *not* include the adoption of any new zoning regulations (or zoning map changes), or the authorization for any new specific development proposals or construction activities. Nor does the Comprehensive Plan commit the City to any such potential future actions. If such future actions are undertaken, they will be considered separately after the adoption of the Comprehensive Plan and will be reviewed for any associated environmental impacts, including fiscal, in accordance with SEQRA. This was an important consideration of the City Council when taking its hard look at each area of environmental concern and ultimately determining that there would be no potential for any significant adverse environmental impact as a result of the Proposed Action.

### **SEQRA Review Procedure**

The City Council's adoption of the Comprehensive Plan is subject to compliance with the requirements of SEQRA.

The Proposed Action is classified as a Type 1 action under SEQRA pursuant to 6 N.Y.C.R.R. Part 617.4(b)(1).

On September 24, 2025, the City Council voted to declare itself as Lead Agency for the SEQRA review of this Type I action pursuant to 6 N.Y.C.R.R. Part 617.6(b)(1). The City Council is the only agency that has jurisdiction over the adoption of the Comprehensive Plan.

The City Council referred the Comprehensive Plan to the City of Mount Vernon Planning Board pursuant to General City Law ("GCL") Section 28-a(6)(a), and to the Westchester County Planning Board pursuant to GCL Section 28-a(6)(b) and General Municipal Law Section 239-m. The City Planning Board issued its comments to the City Council in a Memo dated October 27, 2025, in which the Planning Board recommended the adoption of the Comprehensive Plan, together with certain suggestions for the Plan. The County Planning Board issued its comments to the City Council in a letter dated October 21, 2025, in which the County Planning Board applauded the City's efforts to update the Comprehensive Plan, together with providing certain comments for the Council to consider as it finalizes the Plan and works toward its implementation.

The City Council, together with its consultants, prepared Parts 1, 2, and 3 of the Full EAF, as well as this EAF Supplement.

The purpose of this EAF Supplement is to provide the reasons in support of the City Council's determination of significance. In accordance with the procedure set forth in Part 3 of the EAF, this EAF Supplement serves as the City Council's reasoned elaboration why particular elements of the Proposed Action will not result in a significant adverse environmental impact.

It is acceptable under SEQRA to prepare a Full EAF and issue a Negative Declaration on a Type I action after the lead agency has made a thorough investigation of the action and provides a reasoned elaboration for its determination of significance. The City Council is complying with these SEQRA requirements for Envision Mount Vernon, including through this EAF Supplement. There is no requirement under SEQRA that an EIS must be prepared prior to the adoption of a comprehensive plan. The City Council finds an EIS is not warranted for the Comprehensive Plan for the reasons set forth in the EAF, including this EAF Supplement.

### **Reasons Supporting This Determination**

The City Council, together with its professional consultants and City Planning staff, thoroughly reviewed and considered each category set forth in the EAF Part 2 to determine whether the Proposed Action may have a significant adverse impact on the environment. In completing its review of the categories in the EAF Part 2, the City Council also reviewed and considered the criteria for determining significance in the SEQRA regulations at 6 N.Y.C.R.R. Section 617.7(c).

As described in this EAF Supplement, in considering all potential environmental resources that could be affected by the Proposed Action, the City Council has determined that the adoption of the Comprehensive Plan itself would not cause any significant adverse environmental impacts because it consists solely of a legislative action that identifies areas for future study and implementation, and therefore, would not result in any direct zoning amendments or land development. All potential impacts associated with the future implementation of the Comprehensive Plan will be studied at the time such specific implementation measures are proposed. With respect to future costs of implementing the Comprehensive Plan, the matrix included in the Comprehensive Plan indicates the qualitative cost of each goal and objective; the quantitative cost would be considered at the time a measure is proposed.

The following is the City Council's reasoned elaboration for its responses to the categories and indicators in the EAF Part 2 and 6 N.Y.C.R.R. Section 617.7(c), respectively, as well as for its determination that the Proposed Action will not result in a significant adverse environmental impact.

### 1. Impact on Land, Aesthetic Resources, and Historic/Archeological Resources

The City Council carefully considered any potential impacts on land, aesthetic resources, and historic/archeological resources that could occur as a result of the adoption of Envision Mount Vernon.

With respect to potential impacts on land, the Proposed Action would not have a potential significant adverse impact because the Comprehensive Plan does not identify or authorize any new specific land development.

Additionally, the City Council's consideration of new zoning amendments that would implement the goals and objectives in the Comprehensive Plan regarding, among other things, land development in the City, would be subject to its own separate SEQRA review when such amendments are considered by the Council. There are no recommendations in Envision Mount Vernon to eliminate any single-family zoning districts. The County Planning Board expressed that it is "encouraged that the City is considering a comprehensive rewrite of the zoning code following the adoption of this Plan, as we have consistently recommended in the many use variance appeals that we have reviewed over the past decades." The County Planning Board went on to "urge the City to focus zoning policy toward managing the size and design of buildings rather than uses," such as through form-based zoning. The City Council appreciates the County Planning Board's comments and will factor them when considering amended zoning following the adoption of Envision Mount Vernon.

Regarding aesthetic resources, Envision Mount Vernon recommends the preservation and creation of aesthetic resources, while also balancing the need for responsible land development. These recommendations include, but are not limited to:

- Creation of neighborhood character design guidelines, which could benefit all neighborhoods
- Enhancing streetscape design and pedestrian safety through street trees and buffers
- Improving access to and preserving open space and green space resources

Envision Mount Vernon also contains several recommendations to achieve the City's objectives relating to historic and archeological resources, including but not limited to:

- Conducting a historic resource survey to identify significant buildings, districts, and historic sites
- Nominating eligible properties for listing on the state and national register of historic places
- Adoption of a historic preservation ordinance and seek grants to support historic preservation efforts
- Creation of historic districts or overlay zones and design guidelines to protect land and historic resources
- Facilitate reuse of historic buildings through flexible zoning provisions
- Promotion of inclusion, diversity, equity, and access to City land and historic areas through incentives



- Integration of historic preservation and cultural resource management using technology and economic development policies, such as use of artificial intelligence for predictive modeling of archaeological resources
- Implementation of energy-conscious practices to promote environmental and public health and responsible redevelopment and preservation of historic buildings

The City Council also acknowledged that preservation and enhancement of existing qualities of land, and aesthetic and historic resources, must also be flexible to allow for responsible land development. To implement these goals, Envision Mount Vernon makes several recommendations regarding any future amendments to the City Zoning Code:

- Maintaining existing zoning controls and preserving the integrity of the City's single-family districts while creating flexible zoning provisions
- Amend zoning code to allow creative industrial uses to spur economic development
- Continually evaluate the zoning requirements for usable open space in residential developments to ensure needs are being adequately met
- Removing exclusionary zoning practices
- Amend zoning code to reinforce existing neighborhood character
- Amend zoning code to allow for inclusionary zoning to facilitate affordability.

For these reasons, the Proposed Action would not result in any potential significant adverse impacts to the environment concerning land, aesthetic resources, or historic/archeological resources within the City.

## 2. Impact on Geological Features

The Proposed Action seeks to protect and preserve the areas of the City that contain geological features, which primarily exist in areas containing open space and recreational resources, as well as in green spaces.

The City is underlaid by the New England Physiographic Province, a regional geologic formation that led to the characteristic rolling topography throughout the northeast U.S., including the City. The same geologic formation also contributes to the City's elevation ranges, which created the natural drainage pathways and watercourse landscape within the City. (Figure 2-10). Commonly found soils in the City are consistent with those found generally in Westchester County, specifically Charlton-Chatfield and Paxton-Woodbridge soil types, which are both known for good drainage and suitability for urban development.

The City's topography also includes localized and moderate slopes, near the Bronx and Hutchinson River corridors, which presents localized challenges for erosion control and stormwater management. Specifically, there are three large slopes where elevation changes by approximately 90 feet in the western portion of the City: in the western portion of Downtown Mount Vernon, the western portion of Primrose Park, and the southern portion of Mount Vernon West.

Envision Mount Vernon recommends preservation and protection of these resources. It further seeks to ensure that any future development within the City is undertaken in a manner that decreases or eliminates any potential significant impacts to geological features.

For these reasons, adoption of the Proposed Action would not result in any potential significant adverse impacts to the City's geological features.

### 3. Impacts on Surface Water, Groundwater, and Flooding

Envision Mount Vernon contains recommendations that would lead to improvements to the City's surface water and groundwater resources, as well as to alleviate existing stormwater runoff and flooding in the City resulting from aging infrastructure and more frequent, intense storms in today's climate.

The City is located between two major watercourses: (1) the Bronx River, along the western border of the City; and (2) the Hutchinson River, along the City's eastern border.

Envision Mount Vernon provides recommendations to improve the quality of the City's natural environment, including by updating stormwater management policies and infrastructure, protecting surface water (such as streams and freshwater and tidal wetlands) and ground water resources, and reducing the potential for flooding throughout the City. Some of these recommendations include:

- Implementing a coordinated set of environmental and regulatory strategies focused on stewardship, zoning, stormwater control, and public engagement
- Formalizing a Riverfront Maintenance and Stewardship Program to revitalize the Hutchinson and Bronx Rivers, including through continued compliance with the 2023 Consent Decree (described below) and Brownfield Opportunity Area ("BOA") guidelines
- Establishing a Riverfront Zoning Overlay District
- Increasing enforcement and monitoring of discharges
- Preserving existing natural and greenspace landscapes and features and promoting strategies to create more environmentally beneficial resources and natural areas to highly developed or impervious parts of the City
- Developing a plan to remove and replace lead service lines throughout the City
- Creating an inventory of water, wastewater and stormwater assets and develop a management system for regular maintenance
- Fixing and modernizing dilapidated stormwater sewer mains to reduce illicit discharges and to handle increased volume

These recommendations will also achieve continued compliance with the requirements of the 2023 Consent Decree that Mount Vernon signed with the U.S. Department of Justice, U.S. Environmental Protection Agency, and the NYS Department of Environmental Conservation. The requirements include inspecting, repairing, and replacing broken sewer lines and eliminating illicit discharges in the City's sanitary and stormwater systems.

In addition, the Proposed Action addresses the prevalence of industrial sites in the flood-prone Canal Village neighborhood, and the potential for stormwater runoff containing hazardous waste from those properties. (Figure 5-2). The area's designation as a BOA will increase opportunities and access to state grant programs with the goal of inducing redevelopment of the neighborhood that is consistent with the BOA guidelines. Brush Park, also included in this designation, will also benefit from increased access to state park funding. This redevelopment effort will improve the Canal Village neighborhood, including improving the environmental health of the Hutchinson River by minimizing the potential for hazardous materials in stormwater runoff.

The goals, objectives, and recommendations in Envision Mount Vernon were designed to encourage development that protects and improves the quality of the City's surface waters and groundwater, as well as to ensure that existing flooding conditions are ameliorated rather than exacerbated.

For these reasons, the Proposed Action would not result in any potential significant adverse impacts to the City's surface waters, groundwater, or stormwater runoff and flooding.

#### 4. Impact on Open Space and Recreation, and Agricultural Resources

The adoption of the Proposed Action seeks to enhance, protect, preserve, and add to the City's open space network, recreational resources, and access to the natural environment. These goals ensure that the adoption of the Proposed Action would not result in any potential significant adverse impact on open space or recreational resources in the City.

Envision Mount Vernon identifies and supports existing open space, recreation, and green space resources. It provides a framework of goals and objectives for protecting those resources and increasing public accessibility. It also promotes the addition of new open space, recreation, green space resources, as well as integrating nature into the built environment within the City. Any potential future zoning amendments enacted by the City are required to be in accordance with these goals.

The U.S. Geological Survey (USGS) National Land Cover Database (NLCD) designates nearly all land in the City as "developed," with little land designated as open space. (Figure 2-6). Most of the open space in the City consists of state-owned and county-owned parkway lands that run along the eastern, western, and northern borders of the City. (Figure 2-7). Therefore, the Proposed Action specifically creates a framework for future development that endeavors to protect and preserve existing resources, as well as to add more of these resources for the City and its residents.

The City's open space network includes approximately 260 acres of parks, playgrounds, and recreational areas. The City has identified that its residents, including those living in the denser City center, have limited access to these resources, indicating an area for improvement. Envision Mount Vernon identifies several key areas within the City and specific objectives to enhance, increase, and protect both existing and future open space, recreation, and green space resources. The areas identified and specific implementation strategies and objectives include, but are not limited, to:

- Hutchinson River Parkway
  - Create a Linear Hutchinson River Greenway with Public Amenities
  - Introduce Water-Dependent and Nature-Based Programming
  - Improve the Environmental Health of the Hutchinson River
  - Establish a Riverfront Zoning Overlay District
  - Address Stormwater Runoff and Pollution
- Bronx River Parkway Reservation
  - Increase connectivity between parks and green spaces
- Hunts Woods Park
  - Enhance accessibility and signage to Hunt's Woods Park
- Hartley Park
  - Enhance accessibility to this primary open space, green space, and recreational space resources
  - Activate community stewardship through programs and partnerships
  - Conduct repairs and improvements
- 4<sup>th</sup> Street Park, Brush Park, and Madison Playground
  - Enhance accessibility to these open space, green space, and recreation space resources
  - Conduct repairs and improvements

Envision Mount Vernon also sets forth the City's general objectives and strategies with respect to supporting and enhancing existing open space, recreation, and green space resources, including, but not limited, to:

- Increase open space, green space, and recreational space in neighborhoods where there are fewer of these resources
- Integrating greenery into the public realm
- Incorporating urban forestry initiatives as part of the Complete Streets Program
- Repurposing vacant and underutilized lots as green spaces
- Identifying parcels for temporary or permanent reuse
- Strengthening the City's Tree Ordinance and Advisory Board

The City's desire to protect open spaces extends to preserving whatever opportunities may exist in the City for agricultural uses given the urban built environment in the City. As an example, the Comprehensive Plan encourages landowners to obtain U.S. Department of Agriculture urban agriculture grants to assist the development of community gardens and greenhouses in the non-agricultural parts of the City.

For these reasons, the Proposed Action would not result in any potential significant adverse impacts to open space, recreation space, green space resources, and agricultural resources.



## 5. Impact on Critical Environmental Areas, and Plants and Animals

The City has two Critical Environmental Areas (“CEAs”) that were designated as such by Westchester County because of their exceptional and unique character: (1) the Bronx River CEA, which runs along the City’s western border; and (2) the Willson’s Woods CEA, located on the City’s eastern border in Willson Woods Park. Both CEAs provide ecological diversity and unique animal habitats and are also located within the 100-year and 500-year floodplains, and no change to these designations are proposed.

The New York State Department of Environmental Conservation defines a CEA as a geographically recognized area “designated by a local or state agency to recognize a specific geographical area with one or more of the following characteristics:

- A feature that is a benefit or threat to human health;
- An exceptional or unique natural setting;
- An exceptional or unique social, historic, archaeological, recreational, or educational value; or
- An inherent ecological, geological, or hydrological sensitivity to change that maybe adversely affected by any physical disturbance.”<sup>1</sup>

Envision Mount Vernon seeks to bolster the City’s natural environment and resources and recognizes the ecological and environmental importance of CEAs. These benefits include but are also not limited to:

- Improved water quality
- Reduction in pollution
- Reduction in erosion
- Increased biodiversity

The recommendations in Envision Mount Vernon consider the City’s limited areas of freshwater and tidal wetlands, which are specifically marked for protection and preservation as important ecologically diverse natural habitat.

In addition to preservation of the CEAs, Envision Mount Vernon also provides recommendations and strategies to create more environmentally beneficial resources through environmental restoration of natural resources.

Improvements to groundwater and water quality are also relevant to CEAs because certain CEAs, such as freshwater wetlands, are interconnected with the City’s groundwater. As noted in the Full EAF Part 2, the Proposed Action would not result in any potential adverse impacts to groundwater, including a reduction in the quantity or quality of groundwater in the area. In addition, as discussed above, a number of Envision Mount Vernon goals seek to safeguard the City’s water quality in natural areas.

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<sup>1</sup> NYSDEC Website: <https://dec.ny.gov/regulatory/permits-licenses/seqr/critical-environmental-areas>

Envision Mount Vernon also recommends strategies to improve existing green spaces, create new access to existing green spaces, and better integrate nature into the built environment, with the focus on expanding everyday access to nature and strengthening opportunities for connection. It further recommends integrating sustainability and protection of CEAs and other environmentally sensitive areas in future development plans.

With respect to plants and animals, the recommendations also include preservation and creation of environmental areas that serve as habitat for both flora and fauna. In addition, biophilic planning is recommended for future development to support biodiversity and to create greenspaces in the built environment.

For these reasons, the Proposed Action would not result in any potential significant adverse impacts to CEAs.

## 6. Impact on Transportation

The adoption of the Proposed Action seeks to enhance the existing transportation networks within the City. This includes improving vehicle and pedestrian safety, walkability, streetscape measures, and parking. Future project-specific reviews of development proposals will ensure that such proposals would not result in any potential significant adverse impacts on the City's transportation system.

Envision Mount Vernon identifies the composition of the City's transportation network, which includes highways, arterials, collectors, and local roads/streets that provide regional, area, and local connectivity for vehicles, pedestrians, and bicyclists. Streets cover approximately 618 acres or 22% of the City's land area. The City's transportation network, which includes major and local roadway infrastructure, as well as numerous bridges over railroad rights of way, provides vehicular, pedestrian, bicycle access, and interconnectivity throughout the City. (Figure 2-14).

The major roadways in the City include:

- Cross County Parkway
- Bronx River Parkway
- Hutchinson River Parkway
- New York State Route 22
- East/West Lincoln Avenue
- East/West 3<sup>rd</sup> Street
- East/West Sanford Boulevard
- Gramatan Avenue/South 4<sup>th</sup> Avenue

(Figure 2-13).

Envision Mount Vernon recommends strategies that focus on providing increased safe access for road users of all abilities and for all modes of transportation, including prioritizing underserved communities.

Envision Mount Vernon also identifies the City's existing infrastructure dedicated to vulnerable road users such as bicyclists and pedestrians, as well as public transportation. It recommends specific implementation strategies to improve safety, accessibility, and interconnectivity throughout the City:

- Although the City has limited bicycle infrastructure, Envision Mount Vernon has identified this area as an opportunity for growth. Strategies include increasing interconnectivity via bicycle lanes, trails, and intersection crossings. Particularly because several bicycle lanes from surrounding municipalities, such as the Bronx, terminate at the City's borders, there is opportunity to increase interconnectivity, not only within the City, but also with bordering municipalities.
- Pedestrian infrastructure in the City includes sidewalks, pedestrian signals, crosswalks, curb ramps, and pedestrian refuge islands. Although most roads in the City have existing pedestrian infrastructure, they are in varied condition, with some sections of sidewalks in need of repair.
- Public transportation and related infrastructure are identified as key resources for the City, its residents, and visitors. Public transportation in the City includes buses operated by Westchester County Bee-Line and the commuter rail operated by MTA Metro-North Railroad. According to the 2023 American Community Survey, approximately 29% of households in the City do not own a car compared with 14% of households in Westchester County, which indicates a significantly higher reliance on public transportation and related infrastructure by City residents. (Figure 2-16, Table 2-5 for comparison).

Consistent with a comprehensive analysis of transportation, Envision Mount Vernon also identified parking as another critical piece of transportation infrastructure. Parking in the City includes on-street parking, off-street parking, private parking lots, and garages. There are 2,275 municipal parking spaces across eleven municipal parking facilities. (Table 2-29).

Parking recommendations include creating shared parking provisions and reevaluating minimum parking requirements, where appropriate, specifically in areas of the City near public transit. The County Planning Board also expressed support for the City to reform its off-street parking requirements.

Regarding transportation safety, the City conducted a safety assessment using crash data along all roadways, obtained from the NYSDOT for the most recent three-year period of data available, September 2021 through August 2024. The data obtained quantified the total number of reported crashes, fatalities, and injuries during the three-year period, in addition to vehicular crashes with pedestrians and bicycles. During the three-year period, 1,428 crashes were reported in the City, resulting in 465 injuries including 22 serious injuries and no fatalities. (Table 2-32, Figure 2-17).

The City, after taking stock and analyzing its transportation network, developed Envision Mount Vernon with specific recommendations for improving streets, sidewalks, and other transportation

infrastructure to increase accessibility and safety across all modes of transportation throughout the City. To accomplish this, Envision Mount Vernon recommends:

- Audits to identify where improvements can be made, specifically to increase interconnectivity and transportation of people and goods on all roadways and by all means of transportation.
- Completing transportation infrastructure improvements, including sidewalk repairs and ADA-compliant upgrades in order to support the development of transit enhancements and mobility options to improve transportation access and safety while accounting for existing traffic and future development.
- Adding additional transportation infrastructure to account for multiple transportation modes, which will increase transportation efficiency and interconnectivity.
- Using traffic calming measures which will reduce parking demand and traffic impacts.

These recommendations, among other benefits, also seek to enhance the City's downtown transportation systems, and its connectivity to other parts of the City, as well as other community and environmental resources. The Proposed Action stresses the importance of the City's transportation network as a vital civic, commercial, and transportation hub.

Envision Mount Vernon also acknowledges the City's Paving It Forward initiative, which began in 2021. Through this initiative, the City has invested millions of dollars annually to repave roadways and sidewalks, and install ADA-compliant curb ramps in an equitable manner to serve residents throughout the City. The Paving It Forward initiative, as of April 2025, has repaved 30 miles of roadway, with another 12 miles scheduled to be repaved in future repaving seasons. (Figure 2-15).

Similarly, although the City does not currently have an official policy that comports with New York State's Complete Streets Act, Envision Mount Vernon recommends investment in Complete Streets to ensure that streets are walkable, bikeable, and designed for all who use them. This goal seeks to fuel economic growth by increasing foot traffic for local businesses, boosting employment, and strengthening a livable and equitable community.

Envision Mount Vernon is a framework for future development, and the adoption of the Proposed Action, in and of itself, would not result in any new development that would adversely impact the City's transportation network.

For these reasons, the Proposed Action would not result in any potential significant adverse impacts to transportation.

## *7. Impact on Energy*

The adoption of the Proposed Action would provide an opportunity for the City to improve the creation, efficiency, and use of energy resources.

Envision Mount Vernon contains goals and recommendations that promote energy efficiency improvements, which aim to reduce energy consumption, expand use of renewable energy infrastructure, and encourage the implementation of energy-conscious practices.

These recommendations include, but are not limited to:

- Educating owners and occupants on effective use of historic buildings to reduce energy consumption
- Promoting the availability of energy audits of historic structures and facilities with the goal of retaining historic architectural features
- Improving the energy efficiency and performance of City-owned municipal buildings to:
  - Reduce overall energy consumption
  - Decrease reliance on fossil fuels
  - Advance Mount Vernon's climate action and sustainability goals with an emphasis on environmental justice
- Incorporating sustainable building materials into City construction projects
- Expanding the use of renewable energy sources across municipal buildings
- Encouraging the use of renewable energy systems, such as solar photovoltaics, solar thermal, and geothermal systems in non-municipal development
- Continuing to pursue Bronze certification in Climate Smart Communities Program

For these reasons, the Proposed Action would not result in any potential significant adverse impacts to the environment concerning energy consumption or resources.

#### 8. Impact on Human Health, Air, Noise, Odor, and Light

The adoption of the Proposed Action seeks to improve human health and air quality, and reduce impacts from noise, odor, and light in the City.

The City Council found that the Comprehensive Plan recommendations were designed to be environmentally protective and to improve air quality and human health, while reducing any impacts from noise, odor, and light in the City.

Specifically, proposed recommendations include, but are not limited to, the following:

- Integrating greenery and urban forestry into the public realm
- Reducing overall energy consumption and decreasing reliance on fossil fuels
- Expanding the use of renewable energy sources across municipal buildings
- Continue pursuing Bronze certification in NYSERDA's Climate Smart Communities Program
- Continue participation in NYSERDA's Clean Energy Communities Program
- Future zoning amendments would implement healthy building certifications such as LEED, Passivhaus, WELL Building Standards, or Fitwell and other similar programs
- Facilitate environmental justice policies
- Improve access to a healthy environment regardless of race, income or neighborhood



- Address areas of climate vulnerability
- Ensure equitable access to emergency services and health care

These recommendations highlight Envision Mount Vernon’s vision of incorporating sustainable practices and nature into the built environment to improve human health and air quality. Additional benefits include a reduction of impacts from noise, odor, light, and other sources of pollution in the City.

For these reasons, adoption of the Proposed Action would not result in any potential significant adverse impacts to the environment concerning noise, odor, and light, and seeks to improve human health and air quality.

#### 9. Consistency with Community Plans and Community Character

Envision Mount Vernon recommends the preservation and enhancement of the current character of the different communities within the City. Envision Mount Vernon acknowledges that communities have changed since the City last adopted its Master Plan in 1968 and identifies the current character of the City.

The City Council analyzed existing conditions and the trajectory of the City’s community character. Different areas and neighborhoods in the City derive their character from the existing development patterns and zoning, particularly in terms of residential versus commercial buildings, housing composition, and density/intensity of uses.

Much of the City, especially in the northern portion, is characterized by suburban development patterns with tree-lined streets and single-family homes. Residential uses – both multifamily and single-family – are the dominant land uses in the City. (Table 2-21). Single-family homes account for approximately 31% of all housing units in the City. The remaining housing units by approximate percentage are as follows: 2-unit buildings (10%); 3- to 19-unit buildings (24%), and buildings with 20 or more units (34%). As mentioned, there are no recommendations in the Comprehensive Plan to eliminate any single-family zoning districts.

Many of Envision Mount Vernon’s recommendations relate to the preservation and enhancement of community character, particularly in the existing single-family neighborhoods while allowing for responsible development in appropriate areas to meet the City’s needs for more housing, especially for seniors:

- Preservation of the integrity and historic character of the City
- Ensure that activities are dedicated to the preservation of the City’s cultural heritage and promote diversity, equity, and access
- Prevention of disproportionate impacts from new development
- Creation of neighborhood character design guidelines, which could benefit all neighborhoods
- Increase opportunities for home ownership and new housing
- Improve housing affordability and the quality and safety of housing stock
- Incentivize new affordable housing

- Maximize public land, infrastructure, and assets for housing that meets public need
- Promotion of inclusion, diversity, equity, and access to City land and historic areas through incentives
- Reduce commercial and retail vacancies throughout the City

The intent of the neighborhood character design guidelines is to maintain and enhance existing community character. Furthermore, both existing and recommended new zoning controls would help preserve and enhance community character.

Moreover, the County Planning Board recognized numerous recommendations in Envision Mount Vernon that are consistent with the County Planning Board's (i) long-range planning policies set forth in Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning, and (ii) recommended strategies set forth in Patterns for Westchester: The Land and The People.

For these reasons, the Proposed Action is consistent with community plans and community character.

### **Permissible Segmentation of Existing Development Projects**

As of this date, two development projects were approved by the City Council that were consistent with the recommendations in the Downtown Report: (i) proposal by Alexander Development Group to create a new Mount Vernon East TOD High Density District (TOD-1 District) in connection with a proposed mixed-use transit-oriented development located at 140, 146, and 152 East Prospect Avenue; and (ii) proposal by 20 S. 2<sup>nd</sup> Square CMV, LLC to create a new Downtown Transit Oriented Arts District (DTOAD) within the two square block area located between East 1<sup>st</sup> and East 2<sup>nd</sup> Streets and between South 1<sup>st</sup> and South 3<sup>rd</sup> Avenues, and to develop an approximately one-acre parcel of land comprised of four separate tax lots identified on the City Tax Map as Section 165.70, Block 3221, Lots 11, 13, 37 and 39. These projects already completed their own SEQRA reviews, and thus findings relative to permissive segmentation are not required.

There are currently three other proposed projects for which a rezoning petition has been submitted to the City Council and is pending as of this date: (i) proposal by Grace Baptist Church to amend the Zoning Code and Zoning Map to facilitate the development of a mixed use residential and commercial project located at 70 South Sixth Avenue, 47 Second Street West, and 60 South Sixth Avenue; (ii) proposal by Sammy Properties, Inc. to amend the Zoning Map by applying the RMF-SC Senior Citizen Housing Floating Overlay district to an approximately 0.43-acre property located at 505 Gramatan Avenue; and (iii) proposal by West First Professional Plaza LLC for certain zoning text amendments in connection with a proposed multi-family apartment building at 22 West First Street (collectively, “**Existing Projects**”). The City Council is in the process of conducting an environmental review under SEQRA for the Existing Projects.

Under these circumstances, the City Council finds, in consultation with its professional consultants and City Planning staff, that an environmental review of the Existing Projects segmented from the review of the Comprehensive Plan is warranted and permissible under 6 N.Y.C.R.R. Section 617.3(g)(1) for the following reasons:

1. The Comprehensive Plan is a City-wide legislative action only. It does not commit the City to any particular type of development or specific development plan.
2. The environmental review of the Existing Projects will address all areas of concern that SEQRA requires for those individual Projects in accordance with SEQRA. It is appropriate that the reviews be conducted in the context of the site-specific projects rather than more generally as part of the review for the Comprehensive Plan. It is more protective of the environment to study the actual plans for the Existing Projects as part of their individual project reviews rather than as part of a SEQRA review for a generic Comprehensive Plan that is a theoretical policy document.

For the same reasons, an environmental review of any future zoning text or map amendments that are adopted by the City Council to implement the policy recommendations in the Comprehensive Plan may be segmented from the environmental review of the Comprehensive Plan under 6 N.Y.C.R.R. Section 617.3(g)(1). It is acceptable and common practice for zoning amendments to be studied under SEQRA and adopted separately from and after the adoption of a comprehensive plan. The Comprehensive Plan does not commit the City Council to the adoption of any specific zoning amendments. The Council will address all areas of concern that SEQRA requires for all future zoning amendments at the time they are considered for adoption.

Accordingly, a segmented review of the Existing Projects and any future zoning amendments is permissible and warranted. For the reasons set forth above, the City Council hereby makes the requisite findings regarding permissive segmentation under 6 N.Y.C.R.R. Section 617.3(g)(1) (the Council's findings shall also be set forth in the resolution adopting a Negative Declaration for Envision Mount Vernon). Notwithstanding a segmented SEQRA review, the Existing Projects, and any future zoning amendments, shall be consistent with the recommendations set forth in the Comprehensive Plan.

### **Conclusion**

After reviewing and assessing the Full EAF, including this EAF Supplement, considering the oral and written comments during the Public Hearings, and assessing the criteria for determining significance in the SEQRA regulations at 6 N.Y.C.R.R. Section 617. 7(c), all with the assistance and guidance of its professional consultants and City Planning staff, the City Council finds that the adoption of the Comprehensive Plan will not have a significant adverse impact on the environment, and that preparation of an EIS is not required.

The adoption and implementation of the Comprehensive Plan will serve to protect the environment, and the public health, safety and welfare of the City's residents. The Proposed Action does not authorize the undertaking of any land development projects or commit the City to any amendments of the Zoning Code or Zoning Map. Any such future actions are subject to SEQRA and will be studied for their own associated potential environmental impacts. The utilization of green building measures will help foster sustainable development and preemptively mitigate any potential adverse impacts. The adoption and implementation of the Comprehensive Plan is an action that does not cause a physical change in the environment. The Comprehensive Plan is a City-wide legislative action that contains a series of policy recommendations with respect to certain goals and objectives identified through the Comprehensive Plan process.

The City Council has compared the Proposed Action with the criteria for determining significance in 6 N.Y.C.R.R. Section 617.7(c) and determines that no significant adverse impacts associated with the Proposed Action have been identified, specifically:

- The proposed action is not expected to have a significant effect on local air quality, ground or surface water quality or quantity, or traffic or noise levels.
- The proposed action will not cause a substantial increase in solid waste production, or a substantial increase in the potential for erosion, flooding, leaching, or drainage problems.
- The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna and is not expected to substantially interfere with the movement of any resident or migratory fish or wildlife species.
- No disturbance to or substantial adverse effect on any identified significant habitat areas, threatened or endangered species of animal or plant, the habitat of such species, or other natural resources has been identified.
- The proposed action will not result in the impairment or the environmental characteristics of a Critical Environmental Area.
- The proposed action is not in material conflict with the community's current plans or goals as officially approved or adopted. Envision Mount Vernon, which is the first update to the City's officially adopted Comprehensive Plan in over 50 years, has been carefully prepared to address the current needs, goals and expectations of the community.
- The proposed activity will not impair the character or quality of important historical, archaeological, or aesthetic resources or the existing community or neighborhood character. There is no anticipated significant adverse effect on local community services such as police and fire protection, or recreational and educational facilities.
- The proposed action will not result in a major change in the use of either the quantity or type of energy.
- The proposed action will not create a hazard to human health.
- The proposed activity will not result in a substantial change in the use, or intensity of use, of land devoted to agricultural, open space, or recreational use.
- The City Council has considered all reasonably related long- term, short- term, direct, indirect, and cumulative environmental effects associated with the proposed action including other simultaneous or subsequent actions.



# City of Mount Vernon, New York

## Staff Report

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**File #:** TMP -1766

**Agenda Date:** 12/10/2025

**Agenda #:** 16.

### City Council:

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT VERNON ADOPTING THE ENVISION MOUNT VERNON COMPREHENSIVE PLAN**

**WHEREAS**, the City of Mount Vernon has the authority and responsibility to undertake comprehensive planning in the City and to regulate land use for the purpose of protecting the public health, safety, and general welfare of its citizens; and

**WHEREAS**, in 2022, recognizing the need to update the 1968 Comprehensive Plan, and in accordance with New York General City Law (“GCL”) Section 28-a, the City Council appointed a Comprehensive Plan Advisory Committee (“Committee”), comprised of a diverse group of community stakeholders, for the purposes of assisting City staff (including the Department of Planning and Community Development) and a consultant team with preparing a new Comprehensive Plan for the City entitled Envision Mount Vernon (“Comprehensive Plan”); and

**WHEREAS**, following an extensive community engagement process, which involved numerous conversations with the community, meetings, working sessions, interviews, roundtables, public workshops, and digital engagement, the Committee, City Planning staff, and the City’s consultant team prepared a draft Comprehensive Plan; and

**WHEREAS**, the City Council is appreciative of its Planning staff and consultants’ efforts, and is also grateful to the Committee and the Mount Vernon community-at-large for participating in the planning process; and

**WHEREAS**, a copy of the Comprehensive Plan can be viewed in the office of the City Clerk, or online at: <https://www.envisionmtvernon.com>; and

**WHEREAS**, the adoption of the Comprehensive Plan is classified as a Type I Action (“Proposed Action”) under the New York State Environmental Quality Review Act and its implementing regulations, 6 N.Y.C.R.R. Part 617 (“SEQRA”); and

**WHEREAS**, the Proposed Action will not require permits and approvals from any other local, regional, State, or Federal agencies prior to adoption, and coordinated SEQRA review is, therefore, not required; and

**WHEREAS**, on September 24, 2025, the City Council designated itself as Lead Agency for the review of the Comprehensive Plan under SEQRA pursuant to 6 N.Y.C.R.R. Section 617.6(b)(1);



and

**WHEREAS**, the City Council, together with its consultants and City Planning staff, initially prepared Parts 1 and 2 of the Full Environmental Assessment Form in support of the adoption of the Comprehensive Plan (collectively, “EAF”); and

**WHEREAS**, City Planning staff and the City Council’s consultants assisted the City Council in its preparation and review of the EAF; and

**WHEREAS**, pursuant to Section 28-a(6)(a) of the GCL, on September 24, 2025, the City Council referred the Comprehensive Plan to the City of Mount Vernon Planning Board for its review and recommendation prior to its adoption; and

**WHEREAS**, pursuant to Section 28-a(6)(b) of the GCL, and Section 239-m of the New York General Municipal Law (“GML”), on September 24, 2025, the City Council referred the Comprehensive Plan to the Westchester County Planning Board; and

**WHEREAS**, City Planning staff and the City Council’s consultants presented a draft of the Comprehensive Plan at a meeting of the Westchester County Planning Board on October 7, 2025; and

**WHEREAS**, the City Planning Board discussed the Comprehensive Plan at its meeting on October 8; and

**WHEREAS**, the City Council conducted a duly noticed Public Hearing for the draft Comprehensive Plan on October 8, 2025, at 7:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, the City Council conducted a duly noticed continued Public Hearing for the draft Comprehensive Plan on October 14, 2025, at 6:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, by letter dated October 21, 2025, the Westchester County Planning Board, among other things, applauded the City’s efforts to update the Comprehensive Plan, and provided certain comments for the Council to consider as it finalizes the Plan and works toward its implementation, which comments were carefully considered and integrated into the final draft Comprehensive Plan where appropriate; and

**WHEREAS**, the Westchester County Planning Board also commended the City for the numerous recommendations that are consistent with the County Planning Board’s long-range planning policies, and for engaging in significant community and stakeholder outreach throughout the process; and

**WHEREAS**, the Westchester County Planning Board further expressed that it is “encouraged that the City is considering a comprehensive rewrite of the zoning code following the adoption of this

Plan;” and

**WHEREAS**, by Memo dated October 27, 2025, the City Planning Board recommended adoption of the Comprehensive Plan, and offered comments on the Comprehensive Plan, which comments were carefully considered and integrated into the final draft Comprehensive Plan where appropriate; and

**WHEREAS**, the City Council carefully considered all the oral and written comments on the Comprehensive Plan, and worked together with City Planning staff and its consultants to revise the Comprehensive Plan to address certain comments as the Council deemed appropriate; and

**WHEREAS**, on October 30, 2025, the City Council posted an updated draft Comprehensive Plan on the City’s website; and

**WHEREAS**, the City Council conducted a duly noticed continued Public Hearing for the updated draft Comprehensive Plan on November 10, 2025, at 6:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, the City Council has carefully considered all oral and written comments submitted by members of the public, the Planning Board, and the Westchester County Planning Board; and

**WHEREAS**, the City Council, together with City Planning staff and its consultants, and in compliance with its duties under SEQRA as Lead Agency, has carefully reviewed and considered the entire record of the Proposed Action, including the draft Comprehensive Plan, all materials submitted and comments received, the EAF, the County Planning Board recommendations, and the City Planning Board recommendations, which when considered together, constitute the record which serves as the basis for a SEQRA determination, and has prepared Part 3 of the EAF, including the EAF Part 3 Supplement, dated November 25, 2025 (“EAF Supplement”), which contains the City Council’s analysis of the Proposed Action as compared to the SEQRA criteria determining significance (6 NYCRR Section 617.7(c)) and its reasoned determination as to the effects of the Proposed Action on the environment; and

**WHEREAS**, on November 25, 2025, the City Council determined that the adoption of the Comprehensive Plan would not have significant adverse environmental impacts and issued a Negative Declaration related to the SEQRA determination; and

**WHEREAS**, the City Council believes that the Comprehensive Plan positions the City with the best opportunity to address foreseeable challenges, recognize new opportunities, protect the environment, and foster a vibrant economy, while preserving and improving the quality of life for its residents. NOW, THEREFORE, BE IT

**RESOLVED**, that the City Council hereby adopts the Envision Mount Vernon Comprehensive Plan; and BE IT FURTHER

**RESOLVED**, that this Resolution shall take effect immediately.

**A RESOLUTION OF THE CITY OF MOUNT VERNON CITY COUNCIL  
ADOPTING THE ENVISION MOUNT VERNON COMPREHENSIVE PLAN**

**WHEREAS**, the City of Mount Vernon has the authority and responsibility to undertake comprehensive planning in the City and to regulate land use for the purpose of protecting the public health, safety, and general welfare of its citizens; and

**WHEREAS**, in 2022, recognizing the need to update the 1968 Comprehensive Plan, and in accordance with New York General City Law (“GCL”) Section 28-a, the City Council appointed a Comprehensive Plan Advisory Committee (“Committee”), comprised of a diverse group of community stakeholders, for the purposes of assisting City staff (including the Department of Planning and Community Development) and a consultant team with preparing a new Comprehensive Plan for the City entitled Envision Mount Vernon (“Comprehensive Plan”); and

**WHEREAS**, following an extensive community engagement process, which involved numerous conversations with the community, meetings, working sessions, interviews, roundtables, public workshops, and digital engagement, the Committee, City Planning staff, and the City’s consultant team prepared a draft Comprehensive Plan; and

**WHEREAS**, the City Council is appreciative of its Planning staff and consultants’ efforts, and is also grateful to the Committee and the Mount Vernon community-at-large for participating in the planning process; and

**WHEREAS**, a copy of the Comprehensive Plan can be viewed in the office of the City Clerk, or online at: <https://www.envisionmtvernon.com>; and

**WHEREAS**, the adoption of the Comprehensive Plan is classified as a Type I Action (“Proposed Action”) under the New York State Environmental Quality Review Act and its implementing regulations, 6 N.Y.C.R.R. Part 617 (“SEQRA”); and

**WHEREAS**, the Proposed Action will not require permits and approvals from any other local, regional, State, or Federal agencies prior to adoption and coordinated SEQRA review is, therefore, not required; and

**WHEREAS**, on September 24, 2025, the City Council designated itself as Lead Agency for the review of the Comprehensive Plan under SEQRA pursuant to 6 N.Y.C.R.R. Section 617.6(b)(1); and

**WHEREAS**, the City Council, together with its consultants and City Planning staff, initially prepared Parts 1 and 2 of the Full Environmental Assessment Form in support of the adoption of the Comprehensive Plan (collectively, “EAF”); and

**WHEREAS**, City Planning staff and the City Council’s consultants assisted the City Council in its preparation and review of the EAF; and

**WHEREAS**, pursuant to Section 28-a(6)(a) of the GCL, on September 24, 2025, the City Council referred the Comprehensive Plan to the City of Mount Vernon Planning Board for its review and recommendation prior to its adoption; and

**WHEREAS**, pursuant to Section 28-a(6)(b) of the GCL, and Section 239-m of the New York General Municipal Law (“GML”), on September 24, 2025, the City Council referred the Comprehensive Plan to the Westchester County Planning Board; and

**WHEREAS**, City Planning staff and the City Council’s consultants presented a draft of the Comprehensive Plan at a meeting of the Westchester County Planning Board on October 7, 2025; and

**WHEREAS**, the City Planning Board discussed the Comprehensive Plan at its meeting on October 8; and

**WHEREAS**, the City Council conducted a duly noticed Public Hearing for the draft Comprehensive Plan on October 8, 2025 at 7:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, the City Council conducted a duly noticed continued Public Hearing for the draft Comprehensive Plan on October 14, 2025, at 6:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, by letter dated October 21, 2025, the Westchester County Planning Board, among other things, applauded the City’s efforts to update the Comprehensive Plan, and provided certain comments for the Council to consider as it finalizes the Plan and works toward its implementation, which comments were carefully considered and integrated into the final draft Comprehensive Plan where appropriate; and

**WHEREAS**, the Westchester County Planning Board also commended the City for the numerous recommendations that are consistent with the County Planning Board’s long-range planning policies, and for engaging in significant community and stakeholder outreach throughout the process; and

**WHEREAS**, the Westchester County Planning Board further expressed that it is “encouraged that the City is considering a comprehensive rewrite of the zoning code following the adoption of this Plan;” and

**WHEREAS**, by Memo dated October 27, 2025, the City Planning Board recommended adoption of the Comprehensive Plan, and offered comments on the



Comprehensive Plan, which comments were carefully considered and integrated into the final draft Comprehensive Plan where appropriate; and

**WHEREAS**, the City Council carefully considered all the oral and written comments on the Comprehensive Plan, and worked together with City Planning staff and its consultants to revise the Comprehensive Plan to address certain comments as the Council deemed appropriate; and

**WHEREAS**, on October 30, 2025, the City Council posted an updated draft Comprehensive Plan on the City’s website; and

**WHEREAS**, the City Council conducted a duly noticed continued Public Hearing for the updated draft Comprehensive Plan on November 10, 2025, at 6:00 P.M., at City Hall, at which time those wishing to comment were afforded an opportunity to be heard, and written comments were accepted following the Hearing; and

**WHEREAS**, the City Council has carefully considered all oral and written comments submitted by members of the public, the Planning Board, and the Westchester County Planning Board; and

**WHEREAS**, the City Council, together with City Planning staff and its consultants, and in compliance with its duties under SEQRA as Lead Agency, has carefully reviewed and considered the entire record of the Proposed Action, including the draft Comprehensive Plan, all materials submitted and comments received, the EAF, the County Planning Board recommendations, and the City Planning Board recommendations, which when considered together, constitute the record which serves as the basis for a SEQRA determination, and has prepared Part 3 of the EAF, including the EAF Part 3 Supplement, dated November \_\_, 2025 (“EAF Supplement”), which contains the City Council’s analysis of the Proposed Action as compared to the SEQRA criteria determining significance (6 NYCRR Section 617.7(c)) and its reasoned determination as to the effects of the Proposed Action on the environment; and

**WHEREAS**, on \_\_\_\_\_, the City Council determined that the adoption of the Comprehensive Plan would not have significant adverse environmental impacts and issued a Negative Declaration related to the SEQRA determination; and

**WHEREAS**, the City Council believes that the Comprehensive Plan positions the City with the best opportunity to address foreseeable challenges, recognize new opportunities, protect the environment, and foster a vibrant economy, while preserving and improving the quality of life for its residents.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby adopts the Envision Mount Vernon Comprehensive Plan; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

APPROVED AS TO FORM

\_\_\_\_\_  
Assistant Corporation Counsel

\_\_\_\_\_  
Council Person

THIS RESOLUTION  
ADOPTED BY CITY COUNCIL

\_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
City Clerk

APPROVED

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

\_\_\_\_\_  
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 -1773

**Agenda Date:** 12/10/2025

**Agenda #:** 11.

### Board of Estimate & Contract:

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, authorizing the Transfer of Funds to Budget Line A1010.405 (Contracted Outside Services), as follows:

From:	Amount:	To:
A1010.401 - Office Expense	\$ 2,000	A1010.405 - Contracted Outside Services
A1410.402 - Travel Expense	\$ 4,000	
A1410.215 - Software & Software Support	\$14,500	
A1411.101 - City Clerk - NYS Records	\$ 5,000	
A1411.401 - Records Office Expense	\$ 1,500	
<b>Total Funds to Be Transferred:</b>	<b>\$27,000.00</b>	

; be, and the same is hereby approved.

### City Council:

#### **AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS TO BUDGET LINE A1010.405 (CONTRACTED OUTSIDE SERVICES)**

**Whereas**, in correspondence dated November 24, 2025, the Legislative Assistant to the Mount Vernon City Council formally requested authorization for the transfer of Twenty-Seven Thousand Dollars (\$27,000.00) from the budget lines indicated below; and

**Whereas**, the City Council is vested with the authority to approve and authorize budget modifications and fund transfers necessary for the efficient administration of municipal operations; and

**Whereas**, the Office of the City Council President has identified the need to transfer funds to Budget Line A1010.405 (Contracted Outside Services) in order to cover costs associated with required outside services; and

**Whereas**, sufficient funds are available within the originating budget lines to support this transfer without negatively affecting departmental operations; and

Whereas, the following budget lines and corresponding amounts have been identified for transfer:

From:	Amount:	To:
A1010.401 - Office Expense	\$ 2,000	A1010.405 - Contracted Outside Services
A1410.402 - Travel Expense	\$ 4,000	
A1410.215 - Software & Software Support	\$14,500	
A1411.101 - City Clerk - NYS Records	\$ 5,000	
A1411.401 - Records Office Expense	\$ 1,500	
<b>Total Funds to Be Transferred:</b>	<b>\$27,000.00</b>	

; and

Whereas, the transfer of these funds is necessary and in the best interest of the City to ensure continuity of services and effective administrative operations;

**NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Mount Vernon, in the State of New York, as follows:**

**Section 1. Authorization of Transfer of Funds.** The City Council hereby authorizes and approves the transfer of Twenty-Seven Thousand Dollars (\$27,000.00) as indicated in the Table above.

**Section 2. Purpose of Transfer.** The funds transferred pursuant to this Ordinance shall be used exclusively to cover costs associated with contracted outside services required for City operations.

**Section 3. Authorization to Implement.** The City Comptroller and all other appropriate City officials are hereby authorized and directed to take any and all necessary administrative actions to effectuate the intent of this Ordinance.

**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 COUNCIL**  
**CITY OF MOUNT VERNON**  
ONE ROOSEVELT SQUARE  
MOUNT VERNON, NY 10550  
(914) 665-2352 · FAX (914) 668-6044

**CITY COUNCIL MEMBERS**

Danielle Browne, Esq., President  
Jaevon Boxhill  
Cathlin B. Gleason  
Edward Poteat  
Derrick Thompson

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November 24, 2025

City Council of Mount Vernon  
1 Roosevelt Square  
Mount Vernon, NY 10552

Re: Transfer of funds

Dear Honorable City Council President Browne and esteemed members,

This letter comes to request your approval of legislation which authorizes the transfer of funds from the budget lines noted on the chart below, totaling \$27,000 to A 1010.405 (Contacted Outside Services). This transfer is necessary to cover costs of outside services.

<b>FROM: Account Code - Name</b>	<b>Amount</b>
A 1010.401 - Office Expense	\$ 2,000.00
A 1410.402 - Travel Expense	\$ 4,000.00
A 1410.215 - Software & Software Support	\$ 14,500.00
A 1411.101 - City Clerk - NYS Records	\$ 5,000.00
A 1411.401 -Records Office Expense	\$ 1,500.00
<b>Total Funds to be Transferred</b>	<b>\$ 27,000.00</b>

**TO: Account Code – Name**

A 1010.405 - Contacted Outside Services

If this meets with the City Council's approval, I respectfully ask for the passage of the legislation for this requested budget transfer.

Thank you for your consideration.

Sincerely,

Legislative Assistant to the  
Mount Vernon City Council





# 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 -1774

**Agenda Date:** 12/10/2025

**Agenda #:** 12.

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

**RESOLVED**, that an Ordinance adopted by the City Council on November 25, 2025, and signed by the Mayor on November 26, 2025, a Temporary Spending Freeze on Non-Essential Expenditures through February 2026; be, and the same is hereby approved.

### **City Council:**

#### **AN ORDINANCE AUTHORIZING A TEMPORARY SPENDING FREEZE ON NON-ESSENTIAL EXPENDITURES THROUGH FEBRUARY 2026**

**Whereas**, in correspondence dated November 24, 2025, the Comptroller formally requested authorization to implement a temporary spending freeze on all non-essential expenditures across City operations effective immediately upon adoption of this Ordinance and continuing through February 29, 2026; and

**Whereas**, the Office of the Comptroller has advised the City Council that the City of Mount Vernon is currently experiencing significant cash-flow pressures as a result of delayed revenues, prior-year obligations, and insufficient available fund balance; and

**Whereas**, these fiscal challenges pose a direct risk to the City's ability to meet critical financial obligations, including payroll, employee benefits, debt service, and other essential public services; and

**Whereas**, the Comptroller has recommended the implementation of immediate cost-containment measures to stabilize municipal finances and ensure continuity of necessary government operations; and

**Whereas**, the temporary suspension of non-essential and discretionary expenditures will allow the Administration to impose stronger internal controls and manage limited cash resources more effectively during this period of fiscal constraint; and

**Whereas**, the City Council finds that authorizing a temporary spending freeze is in the best interest of the City of Mount Vernon in order to promote fiscal stability while longer-term corrective measures are developed and implemented;

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

**Section 1. Authorization of Temporary Spending Freeze.** The Mayor, Comptroller, and all relevant administrative departments are hereby authorized and directed to implement a temporary spending freeze on all non-essential expenditures across City operations effective immediately upon adoption of this Ordinance and continuing through February 29, 2026.

**Section 2. Scope of the Spending Freeze:**

(a) The spending freeze shall apply to all discretionary purchases, non-urgent operating expenses, and non-essential departmental expenditures.

(b) No new contractual commitments may be entered into during the freeze period unless expressly determined by the Administration to be essential to the maintenance of core City functions, public health, safety, or legal compliance.

(c) All departments shall comply with revised internal control procedures established by the Comptroller for the purpose of stabilizing cash flow and managing available financial resources.

**Section 3. Exemptions.** The following categories of expenditures are exempt from this spending freeze:

(a) Payroll and employee benefits;

(b) Emergency expenditures required for the protection of life, public safety, or critical infrastructure;

(c) Legally mandated or court-ordered payments;

(d) Any expenditure approved in writing by the Mayor and Comptroller as essential to City operations.

**Section 4. Reporting Requirements.** The Comptroller shall provide regular updates to the City Council regarding the fiscal impacts of the spending freeze, improvements to cash flow, and the status of financial conditions requiring ongoing monitoring.

**Section 5. Duration.** This Ordinance shall remain in full force and effect through February 29, 2026, unless amended or rescinded by further action of the City Council.

**Section 6. 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.  
OFFICE OF THE COMPTROLLER

Darren M. Morton, Ed.D., CPRP, CMFO  
Comptroller

City Hall, One Roosevelt Square  
Mount Vernon, NY, 10550  
(914) 665-2303

November 24, 2025

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

**RE: COMP2025-22 – Request for Authorization to issue Temporary Spending Freeze**

Honorable City Council Members:

The Office of the Comptroller respectfully submits this referral requesting that the City Council adopt legislation authorizing a temporary spending freeze on all non-essential expenditures across City operations through the end of February 2026.

As outlined in recent briefings and communications, the City is currently experiencing significant cash-flow pressures driven by delayed revenues, prior-year obligations, and no available fund balance. To ensure that the City can continue meeting its necessary financial responsibilities—such as payroll, employee benefits, and essential public services—it is necessary to implement immediate cost-containment measures.

The proposed legislation would grant the Administration authority to:

- Suspend or restrict discretionary purchases and non-urgent expenses.
- Limit new contractual commitments unless deemed essential to City operations.
- Establish additional internal controls to stabilize cash flow during the freeze period.

This temporary measure will support the City's efforts to safeguard fiscal stability while longer-term corrective actions are implemented.

Thank you for your attention and partnership in protecting the City's financial health.

Respectfully,

Darren M. Morton, Ed.D., CPRP, CMFO  
Comptroller

cc: Mayor Shawyn Patterson-Howard  
Corporation Counsel  
File