

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

Wednesday, March 12, 2025

7:00 PM

**CITY COUNCIL CHAMBERS
CITY HALL**

City Council

NICOLE BONILLA, M.B.A.
City Clerk

**A REGULAR MEETING OF THE CITY OF THE MOUNT VERNON CITY COUNCIL
HELD ON WEDNESDAY, MARCH 12, 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).

PRESENTATIONS

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. Department of Management Services: An Ordinance Authorizing the Mayor to Enter into an Agreement with OpenGov for the Creation of a Custom Environment for the Fire Department

Code: LPW

Attachments: [OpenGov Project Fire Department 2025.pdf](#)

2. Office of the Mayor: A Resolution Reappointing Commissioners of Deeds for the City of Mount Vernon

Code: LPW

Attachments: [Commissioner of Deeds Letter - March 2025](#)

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3. Department of Public Works: An Ordinance Authorizing the Mayor to Accept A Grant from the New York State Environmental Facilities Corporation (EFC) for As Needed Services for Sewer Cleaning and Closed-Circuit Television (CCTV) Inspection to Support Planning of Capital Improvement Projects Throughout the City of Mount Vernon Sewer System (\$1,000,000)
- Code:** LPW
- Attachments:** [Acceptance of Grant \\$1,000,000.00 \(EFC\)-
CCTV](#)
4. Department of Public Works: An Ordinance Authorizing the Mayor to Accept A Grant from the New York State Environmental Facilities Corporation (EFC) in the amount of \$1,322,500 for Upgrades and Capital Improvement to the City of Mount Vernon's Edison Avenue Pump Station - (\$1,322,500)
- Code:** LPW
- Attachments:** [Acceptance of Grant- \\$1,322,500.00- Upgrades
and Capital Improvement of Ediason Avenue
Pump Station](#)
5. Department of Public Works: An Ordinance Authorizing Payment to Petrillo Contracting, Inc. for Emergency Milling and Paving of Bona Vista Drive - (\$38,000)
- Code:** LPW
- Attachments:** [Emergency Milling and Paving of Bona Vista
Drive](#)
6. Department of Public Works: An Ordinance Amending Ordinance No. 4, Adopted by the City Council on September 11, 2024, Entitled "An Ordinance Authorizing Mayor Shawyn Patterson-Howard to Commit a Local Match for the Green Innovation Grant Program (CIGP) for the South Fourth Street Park Green Infrastructure Project," and Confirming the Project's Type II Exemption Under ECL Article 8
- Code:** LPW
- Attachments:** [Revised GIGP Letter](#)
7. Department of Public Works: An Ordinance Authorizing a Budget Line Transfer to Cover Costs Associated with the Purchase of a Combination Vacuum Truck
- Code:** LPW
- Attachments:** [Transfer of Funds -Hudson Machinery balance](#)
-

8. City Council: A Resolution of the City Council of the City of Mount Vernon, Appointing Dorothy Domeika to the Board of Ethics (March 12, 2025 - March 11, 2027)

Code: LPW

Attachments: [Dorothy Domeika](#)

To the Council:

HUMAN RESOURCES

9. Department of Recreation: An Ordinance Authorizing the Mayor to Enter into an Agreement with the County of Westchester for Funding the Fun Filled Summer (Park Activation Program) - (July 1, 2025, through August 31, 2025)

Code: HR

Attachments: [fun filled summer let](#)

To the Council:

PUBLIC SAFETY AND CODES

10. Department of Public Safety: An Ordinance Authorizing the Acceptance of the Donation of 157 Safe Life Defense Tactical Vest Carriers from and Related Patches from the Mount Vernon Police Foundation

Code: PSC

Attachments: [Amended Request for Legislation to Accept Donation of 157 Tactical Vest Carriers](#)

11. Department of Public Safety: An Ordinance Authorizing the Department of Public Safety to Issue a Request for Proposals (RFP) for the Implementation, Installation, Operation, and Maintenance of a Red Light Camera Enforcement System (RLC) within the City of Mount Vernon

Code: PSC

Attachments: [Referral Letter- RFP for Red Light Camera Enforcement System](#)

12. Department of Public Safety: A Resolution to the New York State Senate and Assembly in Support of One (1) Member of Mount Vernon Police Benevolent Association ("PBA") to Re-Open the New York State Retirement Pension - (Jose Centeno)

Code: PSC

Attachments: [A RESOLUTION TO THE NEW YORK STATE SENATE AND ASSEMBLY IN SUPPORT OF MEMBERS OF MOUNT VERNON POLICE BENEVOLENT ASSOCIATION TO RE-OPEN THE NYS RETIREMENT PENSION](#)

13. City Council: An Ordinance Authorizing the Enactment of Chapter 137 of the Code of the City of Mount Vernon Regulating the Forfeiture of Vehicles in Connection with Criminal Acts

Code: PSC

Attachments: [Ordinance - Fofreiture of Vehicles](#)

To the Council:

FINANCE AND PLANNING

No Items

ADD-ONS

LEGISLATION AND PUBLIC WORKS

14. City Council: A Resolution appointing Nicole Bonilla as City Clerk for the city of Mount Vernon, NY

Code: LPW

Attachments: [A RESOLUTION APPOINTING NICOLE J. BONILLA AS CITY CLERK FOR THE CITY OF MOUNT VERNON](#)

OTHER BUSINESS/CLOSING COMMENTS



City of Mount Vernon, New York

Staff Report

1 ROOSEVELT SQ. RM.
104
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File #: TMP -1243
A

Agenda Date: 3/12/2025

Agenda #: 1 -

City Council:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OPENGOV FOR THE CREATION OF A CUSTOM ENVIRONMENT FOR THE FIRE DEPARTMENT

Whereas, by letter dated March 3, 2025, the Commissioner of the Department of Management Services has requested legislation authorizing the Mayor to enter into an agreement with OpenGov to execute a Statement of Work (SOW) for the implementation of a customized permitting and inspection system for the Fire Department; and

Whereas, the City of Mount Vernon recognizes the need to enhance the operational efficiency of the Fire Department by implementing a dedicated digital permitting and inspection system; and

Whereas, the Fire Department currently relies on the Building Department's system, which does not fully meet its operational and compliance requirements; and

Whereas, OpenGov has proposed a Statement of Work (SOW) to design and implement a customized digital environment tailored to the Fire Department's needs, including fire inspections, permits, and workflows; and

Whereas, the customized system will include the implementation of fire inspection workflows, a dedicated landing page for fire-related requests, fire-specific record types, enhanced financial tracking, and staff training; and

Whereas, the project will improve operational efficiency, increase revenue collection, reduce administrative workload, enhance data accuracy, and improve public accessibility to fire-related services; and

Whereas, the cost for this initiative is \$19,135 and will be funded under budget code A1680.405; **Now, Therefore, Be It**

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

Section 1. Authorization to Enter into Agreement. The Mayor is hereby authorized to enter into an agreement with OpenGov to execute a Statement of Work (SOW) for the implementation of a customized permitting and inspection system for the Fire Department.

Section 2. Scope of Services. OpenGov shall provide the following services as outlined in the SOW:

- a) Implementation of a customized fire inspection workflow to improve data collection and

reporting.

- b) Develop a dedicated landing page for fire-related permits and inspections separate from the Building Department's platform.
- c) Configuration of fire-specific record types, including but not limited to:
 - i. Fire Suppression Application
 - ii. Fire Complaints
 - iii. Fire Inspections
- d) Enhancement of financial tracking and reporting for accurate invoicing and collection of fire inspection fees.
- e) Training of Fire Department personnel to ensure proper system adoption and use.

Section 3. Funding. The total cost of the project, for \$19,135, shall be allocated from Budget Code A1680.405.

Section 4. Implementation and Execution. The Department of Management Services shall oversee the execution and implementation of this agreement to ensure compliance with the terms and objectives outlined in the SOW.

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



CITY OF MOUNT VERNON, N.Y.

Mayor Office

SHAWYN PATTERSON-HOWARD, MPA
Mayor

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

JUAN PEREZ
Commissioner Management Services

March 3, 2025

VIA EMAIL:

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

RE: Request for Approval to enter into an agreement with OpenGov for the creation of custom environment for the Fire Department. For Approval at the March 12th, 2025 CITY COUNCIL MEETING

Honorable Councilmembers,

The Department of Management Services respectfully requests that the City Council adopt an Ordinance authorizing the City of Mount Vernon to engage OpenGov to execute a Statement of Work (SOW) for the implementation of a customized permitting and inspection system for the Fire Department.

Project Overview

The Fire Department currently lacks a dedicated digital environment tailored to its specific needs, including fire inspections, permits, and workflows. Currently, the Fire Department utilizes elements of the Building Department's system, but it does not meet the operational and compliance needs required for efficient fire-related processes.

Under this agreement, OpenGov will replicate and customize key functionalities from the Building Department's platform to create a dedicated Fire Department system that includes:

- The implementation of a **customized fire inspection workflow**, enabling better data collection and reporting.
- A **dedicated landing page** for the Fire Department, allowing the public to request fire-related inspections and permits separately from building-related permits.
- The configuration of **fire-specific record types**, including but not limited to:
 - Fire Suppression Application
 - Fire Complaints
 - Fire Inspections
- Enhanced **financial tracking and reporting**, ensuring accurate invoicing and collection of fees related to fire inspections.

“The Jewel of Westchester”



CITY OF MOUNT VERNON, N.Y.

Mayor Office

SHAWYN PATTERSON-HOWARD, MPA
Mayor

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

JUAN PEREZ
Commissioner Management Services

- System training for Fire Department staff to ensure seamless adoption and usage.

Benefits to the City

This project will:

- Improve operational efficiency by providing the Fire Department with its own dedicated permitting and inspection platform.
- Increase revenue collection by streamlining fire inspection fees and financial workflows.
- Reduce administrative workload by automating manual processes.
- Enhance data accuracy and reporting capabilities for compliance and operational decision-making.
- Improve public accessibility by offering a direct online interface for fire inspection requests.

Contract Summary

- **Contract Value:** \$19,135
- **Key Deliverables:** Fire-specific digital workflows, customized permitting system, landing page, financial tracking, and staff training.

Funding Source

All associated costs will be covered under budget code **A1680.405**.

This initiative aligns with the City's commitment to modernizing municipal services and improving departmental efficiency. The Fire Department has expressed a strong need for these enhancements, and OpenGov has provided a detailed implementation plan to ensure successful execution.

I am available for further discussion and ready to provide any additional documentation required to facilitate the approval process.

Thank you for considering this request. We look forward to your approval.

Sincerely,
Juan Perez

Commissioner Management Services

"The Jewel of Westchester"



CITY OF MOUNT VERNON, N.Y.
Mayor Office

SHAWYN PATTERSON-HOWARD, MPA
Mayor

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

JUAN PEREZ
Commissioner Management Services

cc: Mayors Office, Comptroller



City of Mount Vernon, New York

Staff Report

1 ROOSEVELT SQ. RM.
104
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File #: TMP -1244
A

Agenda Date: 3/12/2025

Agenda #: 2 -

City Council:

A RESOLUTION REAPPOINTING COMMISSIONERS OF DEEDS FOR THE CITY OF MOUNT VERNON

Whereas, pursuant to the provisions of the laws governing the reappointment of Commissioners of Deeds, the City Council of the City of Mount Vernon is authorized to appoint qualified individuals to serve as Commissioners of Deeds; and

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

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

Whereas, the following individuals have been recommended for appointment as Commissioners of Deeds for the City of Mount Vernon for a term of two (2) years, commencing on March 12, 2025, and expiring on March 11, 2027:

1. Cranson Johnson, Deputy Commissioner of Assessment
2. Damani Bush, Commissioner of Public Works
3. Dana Gardner, Secretary to Commissioner of Public Works
4. Dior Phillips, Business Systems Analyst/Health Benefits Administrator for Board of Water Supply
5. Gregory Addison, Deputy Chief of Police
6. Debbie Burrell-Butler, Director of Youth Bureau
7. Dena T. Williams, Deputy Director of Youth Bureau
8. Kim Knotts, Housing Inspector
9. Teneil Peters, Commissioner of Human Resources
10. Stephen M. James
11. James White, Business Owner
12. Oscar Davis Jr., Business Owner
13. Jaevon Boxhill, City Councilman

Whereas, the expiration date for their current appointment is February 22, 2025, and it is in the best interest of the City of Mount Vernon to reappoint these individuals to ensure the continued

efficient administration of duties requiring the certification of Commissioners of Deeds; **Now, Therefore, be it**

Resolved, that the above-listed individuals are hereby reappointed as Commissioners of Deeds for the City of Mount Vernon for a two-year term, effective March 12, 2025, and terminating on March 11, 2027; Be It Further

Resolved, that the City Clerk is hereby authorized and directed to take all necessary steps to implement this resolution.

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



CITY OF MOUNT VERNON, N.Y.

Mayor Office

SHAWYN PATTERSON-HOWARD
Mayor

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

MALCOLM CLARK
Chief of Staff

KHENDRA K. DAVID
Deputy Chief of Staff

February 24, 2025

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

Re: Commissioner of Deeds Appointments

Dear City Council Members,

I request to re-appoint the following individuals as Commissioner of Deeds:

1. Cranson Johnson, Deputy Commissioner of Assessment
2. Damani Bush, Commissioner of Public Works
3. Dana Gardner, Secretary to Commissioner of Public Works
4. Dior Phillips, Business Systems Analyst/Health Benefits Administrator for Board of Water Supply
5. Gregory Addison, Deputy Chief of Police
6. Debbie Burrell-Butler, Director of Youth Bureau
7. Dena T. Williams, Deputy Director of Youth Bureau
8. Kim Knotts, Housing Inspector
9. Teneil Peters, Commissioner of Human Resources
10. Stephen M. James
11. James White, Business Owner
12. Oscar Davis Jr., Business Owner
13. Jaevon Boxhill, City Councilman

These individuals will be appointed for a two-year term beginning March 12, 2025, and expiring March 11, 2027. The expiration date for their current appointment is February 22, 2025.

Sincerely,

Shawyn Patterson-Howard
Mayor, City of Mount Vernon



City of Mount Vernon, New York

Staff Report

1 ROOSEVELT SQ. RM.
104
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VERNON, NEW YORK
10550
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File #: TMP -1229
A

Agenda Date: 3/12/2025

Agenda #: 3 -

City Council:

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ACCEPT A GRANT FROM THE NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION (EFC)
FOR AS NEEDED SERVICES FOR SEWER CLEANING
AND CLOSED-CIRCUIT TELEVISION (CCTV)
INSPECTION TO SUPPORT PLANNING OF CAPITAL
IMPROVEMENT PROJECTS THROUGHOUT THE
CITY OF MOUNT VERNON SEWER SYSTEM**

Whereas, by letter dated February 20, 2025, the Commissioner of the Department of Public Works has requested legislation authorizing Mayor Shawyn Patterson-Howard to accept the grant awarded by the New York State Environmental Facilities Corporation (EFC) in the amount of One Million Dollars (\$1,000,000) for as-needed services for sewer cleaning and Closed-Circuit Television (CCTV) inspection to support planning of capital improvement projects throughout the City's sewer system; and

Whereas, the City of Mount Vernon is committed to maintaining and improving its sewer infrastructure to ensure the health, safety, and welfare of its residents; and

Whereas, the New York State Environmental Facilities Corporation (EFC) has awarded the City of Mount Vernon a grant in the amount of One Million Dollars (\$1,000,000) for as-needed services for sewer cleaning and Closed-Circuit Television (CCTV) inspection to support planning of capital improvement projects throughout the City's sewer system; and

Whereas, the grant funds will be used to assess, clean, and inspect the City's sewer infrastructure to identify necessary improvements and support future capital improvement projects; and

Whereas, the acceptance of this grant requires authorization from the City Council and the creation of a capital expenditure code through the Office of the Comptroller to properly allocate and manage the funds; and

Whereas, it is in the best interest of the City of Mount Vernon to accept this grant and utilize the funds to enhance and maintain its sewer infrastructure for the benefit of its residents and businesses; **Now, Therefore, Be It Resolved That**

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

Section 1. Authorization to Accept Grant. The City Council hereby authorizes Mayor Shawyn Patterson-Howard to accept the grant awarded by the New York State Environmental Facilities Corporation (EFC) in the amount of One Million Dollars (\$1,000,000) for as-needed

services for sewer cleaning and Closed-Circuit Television (CCTV) inspection to support planning of capital improvement projects throughout the City's sewer system.

Section 2. Use of Funds. The grant funds shall be used exclusively for as-needed services for sewer cleaning and Closed-Circuit Television (CCTV) inspection to assess, maintain, and plan for improvements to the City of Mount Vernon's sewer infrastructure.

Section 3. Creation of Capital Expenditure Code. Upon acceptance of the grant, the Office of the Comptroller shall establish a dedicated capital expenditure code to ensure proper allocation, tracking, and reporting of the funds in compliance with all applicable financial and regulatory requirements.

Section 4. Implementation and Oversight. The Department of Public Works shall oversee and implement the services funded by the grant, ensuring that all expenditures align with the intended purpose and comply with all federal, state, and local regulations.

Section 5. Effective Date. This Ordinance shall take effect immediately upon its adoption 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) 665-2300 – Fax: (914) 665-2476

DAMANI L. BUSH
Commissioner
John Nuculovic
Deputy Commissioner

February 20, 2025

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

RE: Acceptance of Grant - \$1 Million for CCTV- As Needed Services for Sewer Cleaning and Closed-Circuit TV Inspection to Support Planning of Capital Improvement Projects Throughout the City of Mount Vernon Sewer System.

Dear Honorable City Council Members:

The Department of Public Works respectfully requests that the Mount Vernon City Council enact legislation authorizing Mayor Shawyn Patterson-Howard to accept a grant awarded to the city of Mount Vernon by the NYS Environmental Facilities Corporation (“EFC”) on January 31, 2025(Award letter attached) that will be used for As Needed Services for Sewer Cleaning and Closed-Circuit TV Inspection to Support Planning of Capital Improvement Projects Throughout the City of Mount Vernon Sewer System.

The EFC Consolidated Funding Application grant for the As Needed Services for Sewer Cleaning and Closed-Circuit TV Inspection to Support Planning of Capital Improvement Projects Throughout the City of Mount Vernon Sewer System is for an amount not to exceed \$1,000,000 in federal funds for As Needed Services for Sewer Cleaning and Closed-Circuit TV Inspection to Support Planning of Capital Improvement Projects Throughout the City of Mount Vernon Sewer System.

Upon acceptance of this grant there will be a capital expenditure code that will be created via the office of the comptroller.

Thank you in advance for your assistance in this matter.

Respectfully,

Damani L. Bush
Commissioner of Public Works
DB/djg

Cc: Comptroller’s office, Grants Department, Contract, File



City of Mount Vernon, New York

Staff Report

1 ROOSEVELT SQ. RM.
104
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10550
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File #: TMP -1230
A

Agenda Date: 3/12/2025

Agenda #: 4 -

City Council:

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ACCEPT A GRANT FROM THE NEW YORK STATE
ENVIRONMENTAL FACILITIES CORPORATION
("EFC") IN THE AMOUNT OF \$1,322,500 FOR
UPGRADES AND CAPITAL IMPROVEMENT TO
THE CITY OF MOUNT VERNON'S EDISON
AVENUE PUMP STATION**

Whereas, by letter dated February 21, 2025, the Commissioner of the Department of Public Works has requested legislation authorizing Mayor Shawyn Patterson-Howard authorized to accept the grant from the New York State Environmental Facilities Corporation ("EFC") for One Million Three Hundred Twenty-Two Thousand Five Hundred Dollars (\$1,322,500) for upgrades and capital improvements to the Edison Avenue Pump Station; and

Whereas, the Edison Avenue Pump Station serves a critical function in the City's infrastructure, ensuring efficient wastewater and stormwater management, thereby safeguarding public health and environmental quality; and

Whereas, the acceptance of this grant will provide the City with essential funding to upgrade and improve the pump station, enhancing its capacity and efficiency, and reducing the risk of system failures; and

Whereas, the City is required to establish a capital expenditure code via the Office of the Comptroller to properly allocate and manage the grant funds under applicable financial and reporting requirements; **Now, Therefore, Be It Resolved That**

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

Section 1. The Mayor of the City of Mount Vernon, Shawyn Patterson-Howard, is hereby authorized to accept the grant from the New York State Environmental Facilities Corporation ("EFC") for One Million Three Hundred Twenty-Two Thousand Five Hundred Dollars (\$1,322,500) for upgrades and capital improvements to the Edison Avenue Pump Station.

Section 2. The Mayor, or her designee, is authorized to execute all documents necessary to effectuate the acceptance of the grant and ensure compliance with the terms and conditions set forth by the EFC.

Section 3. The Office of the Comptroller is directed to create a capital expenditure code to properly manage and track the use of grant funds following applicable financial and auditing procedures.

Section 4. The Department of Public Works shall oversee the implementation of the project, ensuring that all upgrades and capital improvements are completed in compliance with local, state, and

federal requirements.

Section 5. Effective Date. This Ordinance shall take effect immediately upon its adoption 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) 665-2300 – Fax: (914) 665-2476

DAMANI L. BUSH
Commissioner
ROBERT L. HACKETT
Deputy Commissioner

February 21, 2025

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

RE: Acceptance of Grant - \$1,322,500- Upgrades and Capital Improvement to the City of Mount Vernon's Edison Avenue Pump Station

Dear Honorable City Council Members:

The Department of Public Works respectfully requests that the Mount Vernon City Council enact legislation authorizing Mayor Shawyn Patterson-Howard to accept a grant awarded to the city of Mount Vernon by the NYS Environmental Facilities Corporation ("EFC") on January 31, 2025 (Award letter attached) that will be used for Upgrades and Capital Improvement to the City of Mount Vernon's Edison Avenue Pump Station.

The EFC Consolidated Funding Application grant for is for an amount not to exceed \$1,322,500 in federal funds for Upgrades and Capital Improvement to the City of Mount Vernon's Edison Avenue Pump Station.

Upon acceptance of this grant there will be a capital expenditure code that will be created via the office of the comptroller.

Thank you in advance for your assistance in this matter.

Respectfully,

Damani L. Bush
Commissioner of Public Works
DB/djg

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



City of Mount Vernon, New York

Staff Report

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File #: TMP -1236
A

Agenda Date: 3/12/2025

Agenda #: 5 -

AN ORDINANCE AUTHORIZING RETROACTIVE PAYMENT TO PETRILLO CONTRACTING, INC. FOR EMERGENCY MILLING AND PAVING OF BONITA VISTA DRIVE

Whereas, by letter dated February 24, 2025, the Commissioner of the Department of Public Works has requested legislation authorizing the retroactive payment of Thirty-Eight Thousand Dollars (\$38,000.00) to Petrillo Contracting, Inc. for emergency milling and paving services performed on Bonita Vista Drive; and

Whereas, Consolidated Edison recently completed a gas main replacement project on Bonita Vista Drive, covering a distance of 576 feet; and

Whereas, additional preexisting road damage on Bonita Vista Drive was identified, necessitating further repairs beyond the scope of Consolidated Edison's project; and

Whereas, the Department of Public Works (DPW) preapproved Petrillo Contracting, Inc. to complete the entire road repair to ensure public safety and infrastructure integrity; and

Whereas, Petrillo Contracting, Inc. performed these emergency milling and paving services beyond their current contractual work with the City of Mount Vernon; and

Whereas, according to Section 6(B) of the City's Procurement Policy regarding Emergency Purchases, an emergency refers to an occurrence that presents an immediate threat to public property, the life, safety, health, welfare, or property of residents or the public, or threatens to curtail or terminate an essential service; and

Whereas, a delay in authorizing payment for these emergency services may threaten the health, safety, and welfare of the residents of Mount Vernon; and

Whereas, funding for these emergency repairs is available via budget code H5110.203 C955 through the New York State Consolidated Local Street and Highway Improvement Program (NYS CHIPS) reimbursement; **Now, Therefore, Be It Resolved That**

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

Section 1. Authorization. The City Council authorizes the retroactive payment of Thirty-Eight Thousand Dollars (\$38,000.00) to Petrillo Contracting, Inc. for emergency milling and paving services performed on Bonita Vista Drive.

Section 2. Funding Source. The total amount of \$38,000.00 shall be paid from Budget Code H5110.203 C955 under the NYS CHIPS reimbursement program.

Section 3 Ratification of Emergency Services. The City Council hereby ratifies the actions taken by the Department of Public Works in engaging Petrillo Contracting, Inc. to perform emergency

milling and paving services on Bonita Vista Drive.

Section 4. Effective Date. This Ordinance shall take effect immediately upon its adoption 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

ROBERT L. HACKETT
Deputy Commissioner

JOHN NUCULOVIC
Deputy Commissioner

February 18, 2025

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

Re: Emergency Milling & Paving of Bonita Vista Drive

Dear Honorable City Council Members,

BACKGROUND

I am writing to urgently request the City Council's approval to authorize the City's payment to Petrillo Contracting, Inc. for additional services outside of their current contractual work with the City. Petrillo Contracting was contacted for the emergency milling and paving of the dead-end street Bonita Vista Drive. Consolidated Edison completed a gas main replacement project on this street, which covered 576 feet. There was additional preexisting road damage at this location that was not included in Con-Edison's project. Therefore, the Department of Public Works preapproved Petrillo Contracting completing the entire road with the City covering the difference of this cost.

PROCUREMENT POLICY

Section 6. Items Excepted from these Policies and Procedures by the City Council.

B. Emergency Purchases. For purpose of this section, an emergency refers to an occurrence that presents an immediate threat to public property, the life, safety, health, welfare or property of residents or the public, or threatens to curtail or terminate an essential service to residents or the public. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety, property or welfare of the residents or City of Mount Vernon.

FUNDING

The total associated cost for these services is \$38,000.00.

Funding for these emergency repairs is available via budget code H5110.203 C955 New York State Consolidated Local Street and Highway Improvement Program (NYS CHIPS) reimbursement.

Respectfully,

Damani L. Bush
Commissioner of Public Works
DB/lp
Cc: City Engineer
Petrillo Contracting Inc.

"The Jewel of Westchester"



City of Mount Vernon, New York

Staff Report

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

File #: TMP -1245
A

Agenda Date: 3/12/2025

Agenda #: 6 -

City Council:

**AN ORDINANCE AMENDING ORDINANCE
NO. 4, ADOPTED BY THE CITY COUNCIL ON
SEPTEMBER 11, 2024, ENTITLED “AN
ORDINANCE AUTHORIZING MAYOR SHAWYN
PATTERSON-HOWARD TO COMMIT A
LOCAL MATCH FOR THE GREEN INNOVATION
GRANT PROGRAM (GIGP) FOR THE SOUTH FOURTH
STREET PARK GREEN INFRASTRUCTURE PROJECT,”
AND CONFIRMING THE PROJECT’S TYPE II
EXEMPTION UNDER ECL ARTICLE 8**

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

Section 1. The first decretal paragraph and the 4th and 5th Whereas paragraphs of Ordinance No. 4, adopted on September 11, 2024, entitled “AN ORDINANCE AUTHORIZING MAYOR SHAWYN PATTERSON-HOWARD TO COMMIT A LOCAL MATCH FOR THE O GREEN INNOVATION GRANT PROGRAM (GIGP) FOR THE SOUTH FOURTH STREET PARK GREEN INFRASTRUCTURE PROJECT,” and Confirming the Project’s Type II Exemption Under ECL Article 8, is hereby amended as follows:

Whereas, by letter dated [August 9, 2024] March 6, 2025, the Commissioner of the Department of Public Works has requested legislation amending Ordinance No. 4, adopted by the City Council on September 11, 2024, authorizing Mayor Shawyn Patterson-Howard to commit the minimum 10 percent local match of \$199,000 as required by the Green Innovation Grant Program (GIGP) for the South Fourth Street Park Green Infrastructure Project No. 2152; and

Whereas, the City of Mount Vernon has been awarded a Green Innovation Grant Program (GIGP) grant by the New York State Environmental Facilities Corporation (EFC) for the South Fourth Street Park Green Infrastructure Project No. 2152, in the amount not to exceed \$1,790,000 in federal funds for porous pavement, stormwater street trees, bioretention, and a green wall; and

Whereas, the GIGP grant requires a minimum 10 percent local match of \$199,000, which must be committed by the City of Mount Vernon to fulfill the grant requirements; and

[**Whereas**, the source of the \$199,000 local match will be derived from the \$150 million in Empire State Development Corporation grants awarded to the City of Mount Vernon for sewer repairs and improvements on April 15, 2022; and]

[**Whereas**, the South Fourth Street Park Green Infrastructure Project has been classified as a

Type II action under the State Environmental Quality Review (SEQR), 6 NYCRR Part 617, and is therefore not subject to further environmental review; **Now, Therefore, Be It Resolved That]**

Whereas, the City of Mount Vernon was awarded a NYS Environmental Facilities (“EFC”) Green Innovation Grant Program (GIGP) grant for the South Fourth Street Playground on February 15, 2024, in the amount of \$1,790,000 and

Whereas, the source of the \$199,000 local match will be derived from the Office of Parks Recreation and Historic Preservation Environmental Protection Fund Grant (Project No. EPF 241972) - Revitalization of Fourth Street Park - \$675,000; and

Whereas, on September 12, 2024, the City Council reviewed and certified via Ordinance that the South Fourth Street Park Green Infrastructure Project is classified as a Type II action under the State Environmental Quality Review (“SEQR”). 6 NYCRR Part 617 et seq., and was not subject to further review; and

Whereas, this approved initial analysis was related to a scope of work funded by Empire State Development Corporation which included a grant not to exceed \$1,790,000 for underground sewer and stormwater/flood improvements (PHASE 1) with a City match of \$199,000; and

Whereas, on December 23, 2024, the City was notified of additional grant funds of \$675,000 thereby increasing the scope of the project to include hardscape and landscape for the park - (PHASE II). For purposes of SEQR, these two projects, being in the same area and to be constructed at the same time, must be considered and reviewed under the cumulative impact of both projects; and

Whereas, the City of Mount Vernon is a responsible agency under Environmental Conservation Law (ECL) 8-0101; and

Whereas, the South Fourth Street Park Project is subject to SEQR under §617.2(b) as a project directly undertaken by the City, and funded by Federal and State grants; **Now, Therefore, Be It Resolved That**

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

Section 1. Definitions. For the purposes of this ordinance, the following terms shall be defined as:

- **“GIGP Grant”** - the Green Innovation Grant Program funding awarded by the New York State Environmental Facilities Corporation for the South Fourth Street Park Green Infrastructure Project.
- **“Local Match”** - the minimum 10 percent funding match required by the GIGP grant, totaling \$199,000.
- **“Type II Action”** - an action classified under the State Environmental Quality Review (SEQR), 6 NYCRR Part 617, not subject to further environmental review.

- **“Project”** - The South Fourth Street Park Green Infrastructure Project No. 2152.

Section 2. Authorization to Commit Local Match. The City Council authorizes Mayor Shawyn Patterson-Howard to commit the minimum 10 percent local match of \$199,000 as required by the Green Innovation Grant Program (GIGP) for the South Fourth Street Park Green Infrastructure Project No. 2152.

Be It Further

Resolved that, after review, the following findings are made for the South Fourth Street Park Project:

1. This project is a park replacement project replacing in-kind hard and softscape materials for Phase II and for Phase I repairs and extension of sewer and/or storm pipe and culverts to provide greater drainage for the Park and that scope is defined under Type II designations in ECL 8-0101 et seq.

2. The City Council finds that the scope of Phase I is exempt under Type II and satisfied under section 617.5 (c) 1, and has no significant adverse environmental impact. Further, phase I is an extension of sewer and/or storm pipe connections or performance to satisfy and improve the park use previously found exempt under §617.5 (c) (13).

3. The City of Mount Vernon authorizes and appropriates a minimum 10% local match as required by the Green Innovation Grant Program for the South Fourth Street Park Green Infrastructure Project under the (GIGP) program. This local match must be at least 10% of the GIGP-eligible project costs of \$1,790,000. The source of the local match and any amount above the required match shall be the \$675,000 in State funds awarded to the City by the New York State Office of Parks, Recreation, and Historic Preservation. The minimum local match required is \$199,000 based upon a total estimated maximum project cost of \$1,790,000. The Mayor may increase this local match using in-kind services without further approval from the City of Mount Vernon.

4. The Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the City of Mount Vernon’s obligations under the New York State Green Innovation Grant Program Grant Agreement for Project No. 2152. Specifically, the GIGP grant will fund porous pavement, stormwater street trees, bioretention, and a green wall.

Section 3. Source of Funds. [The local match of \$199,000 shall be sourced from the \$150 million in Empire State Development Corporation grants awarded to the City of Mount Vernon for sewer repairs and improvements on April 15, 2022.] The source of the local match and any amount above the required match shall be the \$675,000 in State funds awarded to the City by the New York State Office of Parks, Recreation, and Historic Preservation. The minimum local match required is \$199,000 based upon a total estimated maximum project cost of \$1,790,000. The Mayor may increase

this local match using in-kind services without further approval from the City of Mount Vernon.

Section 4. Environmental Review. The City Council certifies that the South Fourth Street Park Green Infrastructure Project is classified as a Type II action under the State Environmental Quality Review (SEQR), 6 NYCRR Part 617, and is therefore not subject to further environmental review.

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

New matter underlined

Deleted matter in brackets []



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

SHAWYN PATTERSON-HOWARD
Mayor

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

DAMANI L. BUSH
Commissioner
JOHN NUCULOVIC
Deputy Commissioner

March 6, 2025

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

**AMENDMENT
CITY COUNCIL AGENDA – SEPTEMBER 11, 2024
ORDINANCE # 4**

Re: AN ORDINANCE AUTHORIZING MAYOR SHAWYN PATTERSON-HOWARD TO ENTER INTO A GRANT AGREEMENT AND COMMIT A LOCAL MATCH FOR THE GREEN INNOVATION GRANT PROGRAM (GIGP) FOR THE SOUTH FOURTH STREET PARK GREEN INFRASTRUCTURE PROJECT AND THAT A DETERMINATION THAT THE SOUTH FOURTH STREET PARK PROJECT FALLS WITHIN A TYPE II EXEMPTION UNDER ECL ARTICLE 8 AND THEREFORE REQUIRES NO FURTHER REVIEW.

Dear Honorable City Council Members,

I respectfully request that the Mount Vernon City Council (1) authorize Mayor Shawyn Patterson-Howard authorization to execute a NYS Environmental Facilities (“EFC”) Green Innovation Grant Program (“GIGP”) grant agreement for the South Fourth Street Park project and all related documents necessary to fulfill the obligations under the agreement and (2) That the Mount Vernon City Council find the South Fourth Street Park project falls within a type II exemption under ECL article 8 and therefore requires no further review.

I am requesting an amendment to the aforementioned ordinance as follows:

[Whereas, the source of the \$199,000 local match will be derived from the \$150 million in Empire State Development Corporation grants awarded to the City of Mount Vernon for sewer repairs and improvements on April 15, 2022; and]

[Whereas, the South Fourth Street Park Green Infrastructure Project has been classified as a Type II action under the State Environmental Quality Review (SEQR), 6 NYCRR Part 617, and is therefore not subject to further environmental review; **Now, Therefore, Be It Resolved That]**

WHEREAS, the City of Mount Vernon was awarded a NYS Environmental Facilities (“EFC”) Green Innovation Grant Program (GIGP) grant for the South Fourth Street Playground on February 15, 2024, in the amount of \$1,790,000 and



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

SHAWYN PATTERSON-HOWARD
Mayor

City Hall, One Roosevelt Square
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(914) 665-2300 – Fax: (914) 665-2476

DAMANI L. BUSH
Commissioner
JOHN NUCULOVIC
Deputy Commissioner

WHEREAS, the source of the \$199,000 local match will be derived from the Office of Parks Recreation and Historic Preservation Environmental Protection Fund Grant (Project No. EPF 241972) – Revitalization of Fourth Street Park - \$675,000 and

WHEREAS on September 12, 2024 the City Council reviewed and certified via Ordinance that the South Fourth Street Park Green Infrastructure Project is classified as a Type II action under the State Environmental Quality Review (“SEQR”). 6 NYCRR Part 617 et seq. and was not subject to further review, and

WHEREAS, this approved initial analysis was related to a scope of work funded by Empire State Development Corporation which included a grant not to exceed \$1,790,000 for underground sewer and stormwater/flood improvements (PHASE 1) with a City match of \$199,000 and

WHEREAS, on December 23, 2024 the City was notified of additional grant funds of \$675,000 thereby increasing the scope of the project to include hardscape and landscape for the park. (PHASE II) For purposes of SEQR, these two projects, being in the same area and to be constructed at the same time, must be considered and reviewed under the cumulative impact of both projects, and

WHEREAS, The City of Mount Vernon is a responsible agency under Environmental Conservation Law (ECL) 8-0101 and

WHEREAS, the South Fourth Street Park Project is subject to SEQR under §617.2(b) as a project directly undertaken by the City, and funded by Federal and State grants,

NOW THEREFORE BE IT RESOLVED after review the following findings are made for the South Fourth Street Park Project:

1. This project is a park replacement project replacing in-kind hard and softscape materials for phase II and for phase I repairs and extension of sewer and/or storm pipe and culverts to provide greater drainage for the Park and that scope is defined under Type II designations in ECL 8-0101 et seq.
2. The City Council finds that the scope of Phase I is exempt under Type II and satisfied under section 617.5 (c) 1, and has no significant adverse environmental impact. Further, phase I is an extension of sewer and/or storm pipe connections or performance to satisfy and improve the park use previously found exempt under §617.5 (c) (13).
3. The City of Mount Vernon authorizes and appropriates a minimum 10% local match as required by the Green Innovation Grant Program for the South Fourth Street Park Green Infrastructure Project under the (GIGP) program. This local match must be at least 10% of the GIGP-eligible project costs of \$1,790,000. The source of the local match and any amount above the required



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

SHAWYN PATTERSON-HOWARD
Mayor

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

DAMANI L. BUSH
Commissioner
JOHN NUCULOVIC
Deputy Commissioner

match shall be the \$675,000 in State funds awarded to the City by the New York State Office of Parks, Recreation, and Historic Preservation. The minimum local match required is \$199,000 based upon a total estimated maximum project cost of \$1,790,000. The mayor may increase this local match using in-kind services without further approval from the City of Mount Vernon.

4. The Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the City of Mount Vernon’s obligations under the New York State Green Innovation Grant Program Grant Agreement for Project No. 2152. Specifically, the GIGP grant will fund porous pavement, stormwater street trees, bioretention, and a green wall.

Respectfully,

Damani L. Bush
Commissioner of Public Works
DLB/kh

Cc: Mayor’s Office
Comptroller’s Office
Grants Department
Recreation Department
Contract File

New Matter
[deleted matter]



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 -1248
A

Agenda Date: 3/12/2025

Agenda #: 7 -

City Council:

AN ORDINANCE AUTHORIZING A BUDGET LINE TRANSFER TO COVER COSTS ASSOCIATED WITH THE PURCHASE OF A COMBINATION VACUUM TRUCK

Whereas, by letter dated March 5, 2025, the Commissioner of the Department of Public Works has requested legislation authorizing a transfer of funds for \$19,511.48, as shown in the chart below; and

Whereas, the City Council of the City of Mount Vernon previously approved the purchase of a combination vacuum truck for Public Works; and

Whereas, additional costs associated with fees, towing coverage, and warranties for the combination vacuum truck have been incurred and need to be addressed in the budget; and

Whereas, a budget line transfer is necessary to cover the costs of these additional expenses in order to finalize the purchase and ensure that the necessary resources are allocated; and

Whereas, the Public Works Department has requested the transfer of funds from one budget line to another to meet the additional funding requirements; **Now, Therefore, Be It Resolved That**

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

Section 1. Budget Line Transfer. The City Council hereby authorizes a transfer of funds in the amount of \$19,511.48 from the following budget line:

From:	To:
A8120.203 (Sanitary & Storm Sewers: Equipment)	H8120.203 C956 (Sanitary & Sewer Capital: Equipment Combination Sewer Truck)

Section 2. Purpose of Transfer. The transfer is necessary to cover the costs associated with the purchase of the combination vacuum truck, including fees, towing coverage, and warranties.

Section 3. Funding Availability. Funds are available for this transfer within the aforementioned budget lines and will not result in an over-expenditure of the Public Works Department's budget.

Section 4. Authorization. The City Comptroller and the Director of Public Works are hereby authorized and directed to make the necessary adjustments to the City's budget in accordance with the provisions of this Ordinance.

Section 5. Effective Date. This Ordinance shall take effect immediately upon its adoption 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

ROBERT L. HACKETT
Deputy Commissioner

JOHN NUCULOVIC
Deputy Commissioner

March 5, 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 Public Works department budget line transfer is necessary to cover the latter portion of the already approved purchase of a combination vacuum truck. This transfer is needed to cover the cost of fees, towing coverage, and warranties associated with this vehicle.

FROM	AMOUNT	TO	AMOUNT
A8120.203 Sanitary & Storm Sewers: Equipment	\$19,511.48	H8120.203 C956 Sanitary & Sewer Capital: Equipment Combination Sewer Truck	\$19,511.48

If this meets with the approval of Your Honorable Body, kindly have the necessary legislation enacted to transfer funds.

Respectfully,

Damani Bush
Deputy Commissioner

Cc: Comptroller's Office / File
DB/lp

"The Jewel of Westchester"



City of Mount Vernon, New York

Staff Report

1 ROOSEVELT SQ. RM.
104
CITY HALL, MOUNT
VERNON, NEW YORK
10550
& VIA
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File #: TMP -1252

Agenda Date: 3/12/2025

Agenda #: 8.

City Council:

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MOUNT VERNON
APPOINTING DOROTHY DOMEIKA
TO THE BOARD OF ETHICS**

WHEREAS, the City of Mount Vernon has established a Board of Ethics pursuant to Chapter 24, Section 24-7 of the Mount Vernon City Code to uphold ethical standards and practices in municipal government; and

WHEREAS, the City Council of Mount Vernon is responsible for appointing members to the Board of Ethics to ensure its proper functioning and oversight; and

WHEREAS, Dorothy Domeika has demonstrated the qualifications, experience, and commitment necessary to serve as a member of the Board of Ethics; and

WHEREAS, the City Council finds it in the best interest of the City of Mount Vernon to appoint Dorothy Domeika to the Board of Ethics for a term of two (2) years;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Mount Vernon, that:

1. Dorothy Domeika is hereby appointed as a member of the Board of Ethics for a term of two (2) years, commencing on March 12, 2025, and expiring on March 11, 2027.
2. The City Clerk is hereby directed to record this appointment and provide notification to Dorothy Domeika.
3. This resolution shall take effect immediately upon its approval 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

March 7, 2025

Re: Board of Ethics Appointment – Dorothy Domeika

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 appoint Dorothy Domeika for a term of two (2) years, commencing on March 12, 2025, and expiring on March 11, 2027.

Sincerely,

Nicole Bonilla, MBA
City Clerk



City of Mount Vernon, New York

Staff Report

1 ROOSEVELT SQ. RM.
104
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VERNON, NEW YORK
10550
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File #: TMP -1228

Agenda Date: 3/12/2025

Agenda #: 9.

City Council:

**AN ORDINANCE AUTHORIZING THE MAYOR
TO ENTER INTO AN AGREEMENT WITH THE
COUNTY OF WESTCHESTER FOR FUNDING THE
FUN FILLED SUMMER (PARK ACTIVATION PROGRAM)**

Whereas, by letter dated March 3, 2025, the Commissioner of the Department of Management Services has requested legislation authorizing the Mayor into an agreement with the County of Westchester for the provision of \$8,436.00 in funding for the Fun Filled Summer (Park Activation Program) for the period of July 1, 2025, through August 31, 2025; and

Whereas, the City of Mount Vernon seeks to provide recreational opportunities for its youth during the summer months; and

Whereas, the County of Westchester has offered funding for \$8,436.00 to support the operation of the Fun Filled Summer (Park Activation Program) for the period of July 1, 2025, through August 31, 2025; and

Whereas, the program will operate Monday through Thursday from 10:00 a.m. to 2:00 p.m. at various parks throughout the City of Mount Vernon; and

Whereas, the City of Mount Vernon Recreation Department will administer the program, and the funds received shall be deposited into revenue account A2229.15 (Westchester County funded recreation grants) and appropriated for youth program salaries, equipment, trips, guest speakers, and supplies; and

Whereas, the City Council finds that accepting this funding and authorizing the Mayor to enter into an agreement with the County of Westchester serves the public interest and promotes the welfare of Mount Vernon's youth; **Now, Therefore, Be It**

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

Section 1. Authorization. The Mayor of the City of Mount Vernon is hereby authorized to enter into an agreement with the County of Westchester for the provision of \$8,436.00 in funding for the Fun Filled Summer (Park Activation Program) for the period of July 1, 2025, through August 31, 2025.

Section 2. Deposit and Appropriation of Funds. The funds received under this agreement shall be deposited into revenue account A2229.15 (Westchester County funded recreation grants) and appropriated as follows:

- **A7310.104** - Youth program salary (part-time)
- **A7310.458** - Equipment, trips, guest speakers, and supplies

Section 3. Program Operation. The Fun Filled Summer (Park Activation Program) shall be

administered by the City of Mount Vernon Recreation Department and will operate Monday through Thursday from 10:00 a.m. to 2:00 p.m. at various parks throughout the City.

Section 4. Effective Date. This Ordinance shall take effect immediately upon passage and approval in accordance with applicable laws and procedures.



CITY OF MOUNT VERNON, NEW YORK
DEPARTMENT of RECREATION

SHAWYN PATTERSON-HOWARD
Mayor

City Hall
One Roosevelt Square – Room 11
Mount Vernon, NY, 10550
(914) 665-2420 – Fax: (914) 665-2421

KATHLEEN WALKER-PINCKNEY
Commissioner
ANDRE' EARLY
Deputy Commissioner

February 21, 2025

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

RE: 2025 Fun Filled Summer

Dear Honorable Members:

This letter comes to request that the City Council enact legislation that would enable the mayor to enter into agreement with The County of Westchester.

Under this program, the City of Mount Vernon Recreation Department will receive \$8,436.00 for the operation of the Fun Filled Summer (Park Activation Program) for the period of July 1, 2025 to August 31, 2025. This Program runs Monday thru Thursday from 10:00am – 2:00pm at Various parks throughout the City of Mt Vernon.

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

Thank you for your cooperation in this matter.

Sincerely,

Andre' Early
Deputy Commissioner

CC: Mayor
Comptroller
Corporation Council
File



City of Mount Vernon, New York

Staff Report

1 ROOSEVELT SQ. RM.
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CITY HALL, MOUNT
VERNON, NEW YORK
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File #: TMP -1238

Agenda Date: 3/12/2025

Agenda #: 10.

City Council:

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DONATION OF 157 SAFE LIFE DEFENSE TACTICAL VEST CARRIERS AND RELATED PATCHES FROM THE MOUNT VERNON POLICE FOUNDATION

Whereas, by letter dated March 4, 2025, the Commissioner of the Department of Public Safety has requested legislation authorizing the acceptance of the donation of 180 Safe Life Defense Tactical Vest Carriers and personalized patches from the Mount Vernon Police Foundation for use by the Mount Vernon Police Department; and

Whereas, the Mount Vernon Police Department (MVPD) is committed to ensuring the safety and protection of its officers in the performance of their duties; and

Whereas, the Mount Vernon Police Foundation, a nonprofit organization dedicated to supporting and enhancing the activities of the MVPD, has generously offered to donate 157 Safe Life Defense Tactical Vest Carriers along with personalized patches for each officer; and

Whereas, the donated Tactical Vest Carriers provide top-loading, low-profile rifle plate pockets on the front and rear, offering a fast, comfortable, and secure fit to enhance officer safety; and

Whereas, the total value of the donation, which includes the 157 Tactical Vest Carriers costing \$38,796.10 and the patches costing \$8,178, amounts to \$46,974.10; and

Whereas, the acceptance of this donation will enhance the department's ability to protect its officers without imposing additional financial burdens on the City's budget; **Now, Therefore, Be It Resolved That**

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

Section 1. Acceptance of Donation. The City Council authorizes the Mount Vernon Police Department to accept the generous donation of 157 Safe Life Defense Tactical Vest Carriers and personalized patches from the Mount Vernon Police Foundation at no cost to the City.

Section 2. Purpose. The Tactical Vest Carriers and associated patches shall be used exclusively by the Mount Vernon Police Department to improve officer safety, comfort, and operational efficiency.

Section 3. Administration. The Chief of Police, or his designee, shall oversee the distribution and implementation of the Tactical Vest Carriers and patches within the department.

Section 4. Acknowledgement. The City Council expresses its gratitude to the Mount Vernon Police Foundation for their continued support and generous contribution to the Safety and effectiveness of the Mount Vernon Police Department.

Section 4. Effective Date. This Ordinance shall take effect immediately upon its adoption by

the Board of Estimate & Contract.



DEPARTMENT OF PUBLIC SAFETY

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

DAVID GIBSON
COMMISSIONER

JENNIFER LACKARD
DEPUTY COMMISSIONER of Reform

MARCEL OLIFIERS
CHIEF OF OPERATIONS

SHAWYN PATTERSON - HOWARD
MAYOR

March 4, 2025

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

Subject: Request for Legislation to Accept Donation of 157 Tactical Vest Carriers

Honorable Councilmembers,

I am writing to formally request that the City Council approve legislation to allow the Mount Vernon Police Department to accept a generous donation of **157 Safe Life Defense Tactical Vest Carriers** from the Mount Vernon Police Foundation. In addition to the Tactical Carriers, the Foundation would also like to donate personalized patches for each officer, including a shield patch, name tag, MVPD back patch, and the Police Foundation sponsorship patch. **The cost of the 157 Tactical Vest Carriers is \$38,796.10 and the patches for the vests are \$8,178. The total cost for both the Vest Carriers and the patches is \$46,974.10.**

The mission of the Mount Vernon Police Foundation is to solicit, collect, and raise funds to support and enhance the activities of the Mount Vernon Police Department. The Safe Life Defense Tactical Vest Carrier is designed with top-loading, low-profile rifle plate pockets on the front and rear, offering a fast, comfortable, and secure fit for officers.

Should this request meet with your approval, we kindly ask that the necessary legislation be enacted to facilitate this donation.

Sincerely,

David Gibson
Commissioner of Public Safety

CC: Mayor
Comptroller
Law



City of Mount Vernon, New York

Staff Report

1 ROOSEVELT SQ. RM.
104
CITY HALL, MOUNT
VERNON, NEW YORK
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File #: TMP -1241
A

Agenda Date: 3/12/2025

Agenda #: 12 -

City Council:

AN ORDINANCE AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR THE IMPLEMENTATION, INSTALLATION, OPERATION, AND MAINTENANCE OF A RED-LIGHT CAMERA ENFORCEMENT SYSTEM (RLC) WITHIN THE CITY OF MOUNT VERNON

Whereas, by letter dated February 27, 2025, the Commissioner of the Department of Public Safety has requested legislation authorizing said Department to issue a Request for Proposals (RFP) for the implementation, installation, operation, and maintenance of a Red-Light Camera Enforcement System (RLC) within the City of Mount Vernon; and

Whereas, the City of Mount Vernon is committed to improving traffic safety and reducing the number of red-light violations and accidents at dangerous intersections; and

Whereas, New York Vehicle and Traffic Law Section 1111-d authorizes municipalities to install and operate red-light camera enforcement systems to enhance compliance with traffic control laws; and

Whereas, the Department of Public Safety has determined that the implementation of a Red-Light Camera Enforcement System (RLC) will contribute to the overall safety of motorists, pedestrians, and bicyclists within the City; and

Whereas, a competitive bidding process will ensure that the City secures a cost-effective and efficient contract for the implementation, installation, operation, and maintenance of the RLC system; and

Whereas, the system shall be deployed at up to twelve (12) intersections throughout the City, with a bidding process lasting for ninety (90) days to ensure transparency and fairness;

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

Section 1. Authorization to Issue Request for Proposals (RFP). The Department of Public Safety is hereby authorized to issue a Request for Proposals (RFP) for the implementation, installation, operation, and maintenance of a Red-Light Camera Enforcement System (RLC) within the City of Mount Vernon.

Section 2. Compliance with State Law. The RLC system shall be implemented in compliance with New York Vehicle and Traffic Law Section 1111-d. The system shall be designed to

capture photographic evidence of red-light violations without revealing images that identify the driver, passengers, or contents of the vehicle, to the greatest extent possible. However, a notice of liability issued under this program shall not be dismissed solely due to an inadvertent capture of the vehicle's contents, provided reasonable efforts have been made to comply with program provisions.

Section 3. Number of Intersections and Duration of Bidding Process. The RLC system shall be installed at up to twelve (12) intersections identified based on traffic safety analysis. The bidding process for this project shall remain open for ninety (90) days from the date of advertisement.

Section 4. Contract Award and Administration. The Department of Public Safety shall review and evaluate all submitted proposals and recommend a qualified vendor for contract award. The final selection of the vendor shall be subject to approval by the City Council.

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



DEPARTMENT OF PUBLIC SAFETY

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

DAVID GIBSON
COMMISSIONER

JENNIFER LACKARD
DEPUTY COMMISSIONER of Reform

MARCEL OLIFIERS
CHIEF OF OPERATIONS

SHAWYN PATTERSON - HOWARD
MAYOR

February 27, 2025

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

RE: RFP for Red Light Camera Enforcement System (RLC)

Dear Honorable Councilmembers,

The Department of Public Safety is requesting authorization to seek competitive bids for the implementation, installation, operation, and maintenance of a Red-Light Camera Enforcement System (RLC) in the City of Mount Vernon, as authorized by New York Vehicle and Traffic Law §1111-d.

By establishing a new contract with competitively bid prices for the red-light safety camera program, the City will be able to hold vehicle owners financially accountable for violations of traffic control laws once the system is in place.

The program will employ the necessary technologies to ensure that the photos captured by the traffic-control monitoring system will not reveal images that identify the driver, passengers, or contents of the vehicle. However, a notice of liability issued under this program will not be dismissed solely because a photograph may inadvertently reveal the contents of a vehicle, provided the City has made reasonable efforts to comply with the program's provisions. The system will be implemented at up to twelve (12) intersections, and the bidding process will last for ninety (90) days.

If this request meets the approval of your Honorable Body, please enact legislation to arrange for the advertisement of bids in accordance with the attached bid notice.

Sincerely,


David Gibson
Commissioner of Public Safety

CC: Mayor
Comptroller
Law Department



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 -1242
A

Agenda Date: 3/12/2025

Agenda #: 13 -

City Council:

**A RESOLUTION TO THE NEW YORK STATE SENATE
AND ASSEMBLY IN SUPPORT OF ONE (1) MEMBER
OF MOUNT VERNON POLICE BENEVOLENT
ASSOCIATION (“PBA”) TO RE-OPEN THE NEW YORK
STATE RETIREMENT PENSION**

WHEREAS, on March 3, 2025, Patrick Jean-Jerome, on behalf of the Mount Vernon Police Benevolent Association (“PBA”), formally requested special State legislation to allow Member Jose Centeno to re-open his New York State Retirement Pension; and

WHEREAS, we seek to correct Member Jose Centeno’s records to reflect his actual start date of January 8, 2010, ensuring his enrollment in the New York State Retirement Pension Plan from that date, in accordance with the NYS Retirement Pension Unit; **NOW, THEREFORE, BE IT**

RESOLVED, that the City of Mount Vernon strongly supports and urges the State Legislature to approve the re-opening of the New York State Retirement Pension for Member Jose Centeno; **BE IT FURTHER**

RESOLVED, that the City Clerk is directed to forward copies of this resolution to Senator Jamal Bailey (33rd District) and Assemblyman James Gary Pretlow (84th District).

**A RESOLUTION TO THE NEW YORK STATE SENATE
AND ASSEMBLY IN SUPPORT OF ONE (1) MEMBER
OF MOUNT VERNON POLICE BENEVOLENT
ASSOCIATION (“PBA”) TO RE-OPEN THE NEW YORK
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WHEREAS, we seek to correct Member Jose Centeno’s records to reflect his actual start date of January 8, 2010, ensuring his enrollment in the New York State Retirement Pension Plan from that date, in accordance with the NYS Retirement Pension Unit; **NOW, THEREFORE, BE IT**

RESOLVED, that the City of Mount Vernon strongly supports and urges the State Legislature to approve the re-opening of the New York State Retirement Pension for Member Jose Centeno; **BE IT FURTHER**

RESOLVED, that the City Clerk is directed to forward copies of this resolution to Senator Jamal Bailey (33rd District) and Assemblyman James Gary Pretlow (84th District).



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 -1246
A

Agenda Date: 3/12/2025

Agenda #: 14 -

City Council:

AN ORDINANCE AUTHORIZING THE ENACTMENT OF CHAPTER 137 OF THE CODE OF THE CITY OF MOUNT VERNON REGULATING THE FORFEITURE OF VEHICLES IN CONNECTION WITH CRIMINAL ACTS

WHEREAS, the City of Mount Vernon recognizes the need to enact a new Chapter 137 to the Code of the City of Mount Vernon relating to the forfeiture of vehicles used in connection with criminal acts, NOW, THEREFORE,

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

Section 1. Chapter 137 of the Code of the City of Mount Vernon, entitled “Forfeiture of vehicles in connection with criminal acts,” is hereby enacted as follows:

§ 137-1. Vehicles operated by persons while engaged in unlawful speed contests or races or evading police at high speeds.

A. City of Mount Vernon Corporation Counsel may commence a civil action for forfeiture to the City of any vehicle, as such term is defined in Subdivision 14 of § 10.00 of the New York State Penal Law, when such vehicle is operated or used by a person who is arrested or issued a summons by any police officer of the City of Mount Vernon Police Department for engaging in or aiding or abetting in any motor vehicle or other speed contest or exhibition of speed on a highway as prohibited by § 1182 of the New York State Vehicle and Traffic Law and such person is convicted or pleads guilty to any offense arising out of such arrest or summons. To establish its case in any action commenced under this subsection, the City shall demonstrate, by a preponderance of the evidence in the civil forfeiture proceeding, that such person engaged in or aided or abetted in any motor vehicle or other speed contest or exhibition of speed on a highway as prohibited by § 1182 of the New York State Vehicle and Traffic Law and that such person’s operation or use of such vehicle contributed directly and materially to the commission of such offense.

B. The City of Mount Vernon Corporation Counsel may commence a civil action for forfeiture to the City of any vehicle, as such term is defined in Subdivision 14 of § 10.00 of the New York State Penal Law, when such vehicle is operated or used by a person attempting to unlawfully elude or flee from any police officer of the City of Mount Vernon Police Department. To establish its case in any action commenced under this subsection, the City shall demonstrate, by a preponderance of the evidence in the civil forfeiture proceeding, that such person unlawfully fled or eluded any police officer as prohibited by §§ 270.25, 270.30, or 270.35 of the New York State Penal Law and that

such person's operation or use of such vehicle contributed directly and materially to the commission of such offense.

C. A civil action seeking forfeiture brought pursuant to this section shall be commenced in the County of Westchester within 60 days after such person has been convicted of any offense arising out of his or her arrest or summons under § 1182 of the New York State Vehicle and Traffic Law, if brought pursuant to Subsection A of this section, or within 60 days after such person has been convicted of any offense arising out of his or her arrest or summons under §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, if brought pursuant to Subsection B of this section. The City of Mount Vernon Police Department shall make a timely notification to the Office of the Corporation Counsel regarding such conviction, or other disposition of the applicable criminal action or proceeding regarding such person.

§ 137-2. Notice to vehicle operator, owner, and lienholder. A person who is arrested or summonsed by any police officer of the City of Mount Vernon Police Department for an offense under § 1182 of the New York State Vehicle and Traffic Law or under §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, shall receive notice at the time of arrest or summoning on such charge and by certified mail, return receipt requested, as soon thereafter as practical, informing such person how and when the vehicle may be released and that the vehicle may be subject to a civil forfeiture proceeding. If the driver is not the registered owner of the vehicle, separate notice shall be provided to the registered owner of the vehicle. Notice shall also be provided to any lienholder. Notice pursuant to this section shall be sent to the address recorded with the Department of Motor Vehicles of New York State or any other state, territory, district, province, nation, or other jurisdiction, by certified mail, return receipt requested. The procedures set forth in § 256-12 of the City of Mount Vernon Code (Towing, removal and impoundment of vehicles; penalties for offenses) shall apply whenever a person has been arrested for an offense under § 1182 of the New York State Vehicle and Traffic Law or under §§ 270.25, 270.30, or 270.35 of the New York State Penal Law.

§ 137-3. Notice to City of owner's intention to transfer ownership or possession of vehicle.

A. The owner of a vehicle subject to forfeiture pursuant to this chapter must notify the City of any intention to transfer ownership or possession of such vehicle, no later than fifteen days prior to such transfer. Notice provided pursuant to 137-2 shall set forth the time and manner and procedures for such notification to the City. The provisions of this section shall remain in effect until the resolution of the forfeiture proceeding provided, however, that the notice requirement herein shall expire as follows:

(1) If the vehicle may be subject to forfeiture per § 137-1 this chapter: (a) on the 61st day after any conviction of any offense arising out of an arrest or summons for an offense under § 1182 of the New York State Vehicle and Traffic Law or §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, in the event that the City has not commenced a forfeiture proceeding pursuant to this chapter prior to such day; or (b) on the day that the criminal action or proceeding against the person arrested or summonsed for violation of any provision of § 1182 of the New York State Vehicle and Traffic Law or §§ 270.25, 270.30, or 270.35 of the New York State Penal Law is

terminated in favor of such person without a conviction, as outlined in Subdivision 3 of § 160.50 of the New York State Criminal Procedure Law.

B. Applicability

(1) Nothing in this section shall be construed to affect the ability of an entity that leases vehicles or a lienholder to exercise its lawful rights to obtain possession of a vehicle under a contract or applicable law.

(2) In the event of a transfer of title or possession pursuant to subsection B(1) of this subsection, the person or entity that affects such transfer shall provide notice to the City of its action as soon as practicable and in no event later than 72 hours subsequent to such action.

C. A person who transfers title or possession of a vehicle without providing notice to the City as required by this section shall be subject, upon a judgment that the vehicle shall be forfeited to a penalty in the amount of \$1,500 in addition to the fair market value of the vehicle at the time of the arrest. Evidence of such fair market value may be established with reference to publications such as, but not limited to, Kelley Blue Book or NADA Guide.

§ 137-4. City's Provisional Remedies. Upon receiving notification pursuant to § 137-3, the City may apply for a court order, either prior to or after commencement of the civil forfeiture proceeding, to ensure that the vehicle remains available pending the outcome of the civil forfeiture proceeding pursuant to this chapter. In such an application, the City may request appropriate measures including, but not limited to, an order of the court restraining the transfer of title or possession of such vehicle, retention by the City of the vehicle pending the outcome of the forfeiture proceeding, or a bond in the amount of \$1,500 plus the fair market value of the vehicle at the time of the arrest to be determined as set forth in subsection C of §137-3.

A. If a person is arrested or summonsed by any police officer of the City of Mount Vernon Police Department for an offense under § 1182 of the New York State Vehicle and Traffic Law, or §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, and such person is not convicted or does not plead guilty to any offense arising out of such arrest or summons, any vehicle retained pursuant to subsection A of this section will be returned to him or her, or in the event that another person has a superior right of possession in such property, to such other person.

§ 137-5. Innocent owner affirmative defense; lienholder's interest.

A. It shall be an affirmative defense to an action brought pursuant to this chapter that the owner of the vehicle, other than the person arrested or summonsed for an offense under § 1182 of the New York State Vehicle and Traffic Law, or §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, did not have actual or constructive knowledge that the vehicle would be used or operated in violation of any such offenses or that the owner took reasonable steps to prevent use of the vehicle by the person arrested or summonsed.

B. Subject to the provisions of subsection A of this section, the interest of a lienholder in such vehicle shall not be subject to forfeiture pursuant to this chapter provided, however, that this provision shall not be construed to entitle a lienholder to more than the outstanding balance of the lien. For purposes of this subsection, the term "lienholder" shall mean any person, corporation, partnership, firm, agency, association or other entity who at the time of an arrest or summoning pursuant to this chapter has a financial interest recorded as a lien with the Department of Motor Vehicles of New York State or any other state, territory, district, province, nation or tother jurisdiction, except that "lienholder" shall not mean an entity that leases vehicles pursuant to a written agreement subject to the New York State Personal Property Law or the Uniform Commercial Code. Nothing in this provision shall be construed to prevent a lienholder whose lien is not so recorded from intervening in any action or proceeding under this chapter.

§137-6. Hardship relief. Following a determination by the court pursuant to this chapter that a vehicle shall be forfeited, an owner may make a motion to the court for relief from such determination. Such motion shall be made on notice to the City. In order to obtain such relief, the owner must submit evidence which establishes that the loss of the vehicle would cause a substantial and unwarranted hardship because the owner has no reasonable access to public transportation and/or to the use of another vehicle and lacks the financial resources to purchase or lease another vehicle and that possession of a vehicle is a necessary incident to his or her employment, business, trade, occupation or profession; or to his or her travel to and from a class or course at an accredited school, college or university or at a state approved institution of vocational or technical training; or necessary to travel to and from a necessary medical examination or necessary medical treatment for such owner or a member of his or her household. Upon satisfactory demonstration of these factors to the court, the court may grant relief from the forfeiture determination upon such terms and conditions as will provide maximum protection to the public safety, which may include, but not be limited to, installation of an ignition interlock device in such vehicle.

§ 137-7. Settlement of claims. Notwithstanding any provision of law to the contrary, the Corporation Counsel shall be empowered to compromise, settle, or adjust rights, claims, demands or causes of action in favor of or against the City arising under this chapter.

§ 137-8. Disposition of forfeited vehicles. After a judicial determination of forfeiture, the City of Mount Vernon Police Department shall effect seizure of the vehicle, if such vehicle has not already been retained by the City pursuant to § 137-4 of this chapter, unless relief from such judicial determination by the court pursuant to § 137-6 of this chapter would prevent such seizure, or the Corporation Counsel has otherwise compromised, settled or adjusted the matter according to § 137-7 of this chapter, in a manner that renders such seizure unnecessary. Following such seizure, the City of Mount Vernon Police Department shall either:

(1) Retain such seized vehicle for the official use of its office, division or department; or

(2) Transfer such seized vehicle to any City agency, department, board or commission demonstrating need for such seized vehicle, so that such seized vehicle may be put into official use by that agency, department, board or commission; or

(3) Transfer such seized vehicle to any City-funded agency or organization demonstrating need for such seized vehicle, so that such seized vehicle may be put into use by the funded agency or organization in the regular course of business of that funded agency or organization. Any such transfer of forfeited vehicles under this subsection may result in an in-kind deduction from those funds paid by the City to the specific agency or organization; or

(4) By a public notice of at least five days, sell such forfeited property at a public sale conducted by the City.

A. The net proceeds from any sale pursuant to subsection A(4) of this section or from any compromise, settlement or adjustment by the Corporation Counsel pursuant to § 137-7 of this chapter, after deduction of the lawful expenses incurred, shall be paid into an account to be designated "Chapter 137 Forfeiture Proceeds." Monies paid into this account shall be used for the costs of the respective City departments administering the provisions of this chapter, including but not limited to costs of seizing property, publication service and legal costs; any balance shall be used to fund program initiatives in law enforcement and education/prevention.

§137-9. Public Education. The City of Mount Vernon shall conduct public education to advise members of the public, the judiciary, and legal community of the provisions of this chapter.

§ 137-10. Annual Report. The City of Mount Vernon Police Department shall provide a detailed annual report to the City Council on the enforcement of this chapter for the previous year. Such a report shall include appropriate statistical analysis and comments.

§ 137-11. Severability. If any clause, sentence, subparagraph, subsection or section of this chapter shall be held invalid by any court of competent jurisdiction, or the application of this chapter to any person or set of circumstances shall be held invalid, such invalidity or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subparagraph, subsection, section, or operation of this chapter directly involved in the controversy in which the judgment shall have been rendered. To further this end, the provisions of this chapter are hereby declared to be severable.

Section 2. Effective Date. This ordinance shall take effect upon review and acceptance from the City Council.

**AN ORDINANCE TO ENACT CHAPTER 137 OF THE CODE OF THE
CITY OF MOUNT VERNON REGULATING THE FORFEITURE OF
VEHICLES IN CONNECTION WITH CRIMINAL ACTS**

WHEREAS, the City of Mount Vernon recognizes the need to enact a new Chapter 137 to the Code of the City of Mount Vernon relating to the forfeiture of vehicles used in connection with criminal acts, **NOW, THEREFORE**,

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

Section 1. Chapter 137 of the Code of the City of Mount Vernon, entitled “Forfeiture of vehicles in connection with criminal acts,” is hereby enacted as follows:

§ 137-1. Vehicles operated by persons while engaged in unlawful speed contests or races or evading police at high speeds.

- A. City of Mount Vernon Corporation Counsel may commence a civil action for forfeiture to the City of any vehicle, as such term is defined in Subdivision 14 of § 10.00 of the New York State Penal Law, when such vehicle is operated or used by a person who is arrested or issued a summons by any police officer of the City of Mount Vernon Police Department for engaging in or aiding or abetting in any motor vehicle or other speed contest or exhibition of speed on a highway as prohibited by § 1182 of the New York State Vehicle and Traffic Law and such person is convicted or pleads guilty to any offense arising out of such arrest or summons. In order to establish its case in any action commenced under this subsection, the City shall demonstrate, by a preponderance of the evidence in the civil forfeiture proceeding, that such person engaged in or aided or abetted in any motor vehicle or other speed contest or exhibition of speed on a highway as prohibited by § 1182 of the New York State Vehicle and Traffic Law and that such person’s operation or use of such vehicle contributed directly and materially to the commission of such offense.
- B. The City of Mount Vernon Corporation Counsel may commence a civil action for forfeiture to the City of any vehicle, as such term is defined in Subdivision 14 of § 10.00 of the New York State Penal Law, when such vehicle is operated or used by a person attempting to unlawfully elude or flee from any police officer of the City of Mount Vernon Police Department. In order to establish its case in any action commenced under this subsection, the City shall demonstrate, by a preponderance of the evidence in the civil forfeiture proceeding, that such person unlawfully fled or eluded any police officer as prohibited by §§ 270.25, 270.30, or 270.35 of the New York State Penal Law and that such person’s operation or use of such vehicle contributed directly and materially to the commission of such offense.
- C. A civil action seeking forfeiture brought pursuant to this section shall be commenced in the County of Westchester within 60 days after such person has been convicted of any offense arising out of his or her arrest or summons under § 1182 of the New York State

Vehicle and Traffic Law, if brought pursuant to Subsection A of this section, or within 60 days after such person has been convicted of any offense arising out of his or her arrest or summons under §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, if brought pursuant to Subsection B of this section. The City of Mount Vernon Police Department shall make a timely notification to the Office of the Corporation Counsel regarding such conviction, or other disposition of the applicable criminal action or proceeding regarding such person.

§ 137-2. Notice to vehicle operator, owner, and lienholder.

A person who is arrested or summonsed by any police officer of the City of Mount Vernon Police Department for an offense under § 1182 of the New York State Vehicle and Traffic Law or under §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, shall receive notice at the time of arrest or summonsing on such charge and by certified mail, return receipt requested, as soon thereafter as practical, informing such person how and when the vehicle may be released and that the vehicle may be subject to a civil forfeiture proceeding. If the driver is not the registered owner of the vehicle, separate notice shall be provided to the registered owner of the vehicle. Notice shall also be provided to any lienholder. Notice pursuant to this section shall be sent to the address recorded with the Department of Motor Vehicles of New York State or any other state, territory, district, province, nation, or other jurisdiction, by certified mail, return receipt requested. The procedures set forth in § 256-12 of the City of Mount Vernon Code (Towing, removal and impoundment of vehicles; penalties for offenses) shall apply whenever a person has been arrested for an offense under § 1182 of the New York State Vehicle and Traffic Law or under §§ 270.25, 270.30, or 270.35 of the New York State Penal Law.

§ 137-3. Notice to City of owner's intention to transfer ownership or possession of vehicle.

A. The owner of a vehicle subject to forfeiture pursuant to this chapter must notify the City of any intention to transfer ownership or possession of such vehicle, no later than fifteen days prior to such transfer. Notice provided pursuant to 137-2 shall set forth the time and manner and procedures for such notification to the City. The provisions of this section shall remain in effect until the resolution of the forfeiture proceeding provided, however, that the notice requirement herein shall expire as follows:

(1) If the vehicle may be subject to forfeiture per § 137-1 this chapter: (a) on the 61st day after any conviction of any offense arising out of an arrest or summons for an offense under § 1182 of the New York State Vehicle and Traffic Law or §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, in the event that the City has not commenced a forfeiture proceeding pursuant to this chapter prior to such day; or (b) on the day that the criminal action or proceeding against the person arrested or summonsed for violation of any provision of § 1182 of the New York State Vehicle

and Traffic Law or §§ 270.25, 270.30, or 270.35 of the New York State Penal Law is terminated in favor of such person without a conviction, as set forth in Subdivision 3 of § 160.50 of the New York State Criminal Procedure Law.

B. Applicability

- (1) Nothing in this section shall be construed to affect the ability of an entity that leases vehicles or a lienholder to exercise its lawful rights to obtain possession of a vehicle under a contract or applicable law.
- (2) In the event of a transfer of title or possession pursuant to subsection B(1) of this subsection, the person or entity that affects such transfer shall provide notice to the City of its action as soon as practicable and in no event later than 72 hours subsequent to such action.

C. A person who transfers title or possession of a vehicle without providing notice to the City as required by this section shall be subject, upon a judgment that the vehicle shall be forfeited to a penalty in the amount of \$1,500 in addition to the fair market value of the vehicle at the time of the arrest. Evidence of such fair market value may be established with reference to publications such as, but not limited to, Kelley Blue Book or NADA Guide.

§ 137-4. City's Provisional Remedies.

- A. Upon receiving notification pursuant to § 137-3, the City may apply for a court order, either prior to or after commencement of the civil forfeiture proceeding, to ensure that the vehicle remains available pending the outcome of the civil forfeiture proceeding pursuant to this chapter. In such an application, the City may request appropriate measures including, but not limited to, an order of the court restraining the transfer of title or possession of such vehicle, retention by the City of the vehicle pending the outcome of the forfeiture proceeding, or a bond in the amount of \$1,500 plus the fair market value of the vehicle at the time of the arrest to be determined as set forth in subsection C of §137-3.
- B. If a person is arrested or summonsed by any police officer of the City of Mount Vernon Police Department for an offense under § 1182 of the New York State Vehicle and Traffic Law, or §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, and such person is not convicted or does not plead guilty to any offense arising out of such arrest or summons, any vehicle retained pursuant to subsection A of this section will be returned to him or her, or in the event that another person has a superior right of possession in such property, to such other person.

§ 137-5. Innocent owner affirmative defense; lienholder's interest.

- A. It shall be an affirmative defense to an action brought pursuant to this chapter that the owner of the vehicle, other than the person arrested or summonsed for an offense under § 1182 of the New York State Vehicle and Traffic Law, or §§ 270.25, 270.30, or 270.35 of the New York State Penal Law, did not have actual or constructive knowledge that the vehicle would be used or operated in violation of any such offenses or that the owner took reasonable steps to prevent use of the vehicle by the person arrested or summonsed.
- B. Subject to the provisions of subsection A of this section, the interest of a lienholder in such vehicle shall not be subject to forfeiture pursuant to this chapter provided, however, that this provision shall not be construed to entitle a lienholder to more than the outstanding balance of the lien. For purposes of this subsection, the term "lienholder" shall mean any person, corporation, partnership, firm, agency, association or other entity who at the time of an arrest or summonsing pursuant to this chapter has a financial interest recorded as a lien with the Department of Motor Vehicles of New York State or any other state, territory, district, province, nation or tother jurisdiction, except that "lienholder" shall not mean an entity that leases vehicles pursuant to a written agreement subject to the New York State Personal Property Law or the Uniform Commercial Code. Nothing in this provision shall be construed to prevent a lienholder whose lien is not so recorded from intervening in any action or proceeding under this chapter.

§137-6. Hardship relief.

Following a determination by the court pursuant to this chapter that a vehicle shall be forfeited, an owner may make a motion to the court for relief from such determination. Such motion shall be made on notice to the City. In order to obtain such relief, the owner must submit evidence which establishes that the loss of the vehicle would cause a substantial and unwarranted hardship because the owner has no reasonable access to public transportation and/or to the use of another vehicle and lacks the financial resources to purchase or lease another vehicle and that possession of a vehicle is a necessary incident to his or her employment, business, trade, occupation or profession; or to his or her travel to and from a class or course at an accredited school, college or university or at a state approved institution of vocational or technical training; or necessary to travel to and from a necessary medical examination or necessary medical treatment for such owner or a member of his or her household. Upon satisfactory demonstration of these factors to the court, the court may grant relief from the forfeiture determination upon such terms and conditions as will provide maximum protection to the public safety, which may include, but not be limited to, installation of an ignition interlock device in such vehicle.

§ 137-7. Settlement of claims.

Notwithstanding any provision of law to the contrary, the Corporation Counsel shall be empowered to compromise, settle, or adjust rights, claims, demands or causes of action in favor of or against the City arising under this chapter.

§ 137-8. Disposition of forfeited vehicles.

- A. After a judicial determination of forfeiture, the City of Mount Vernon Police Department shall effect seizure of the vehicle, if such vehicle has not already been retained by the City pursuant to § 137-4 of this chapter, unless relief from such judicial determination by the court pursuant to § 137-6 of this chapter would prevent such seizure, or the Corporation Counsel has otherwise compromised, settled or adjusted the matter pursuant to § 137-7 of this chapter, in a manner that renders such seizure unnecessary. Following such seizure, the City of Mount Vernon Police Department shall either:
- (1) Retain such seized vehicle for the official use of its office, division or department; or
 - (2) Transfer such seized vehicle to any City agency, department, board or commission demonstrating need for such seized vehicle, so that such seized vehicle may be put into official use by that agency, department, board or commission; or
 - (3) Transfer such seized vehicle to any City-funded agency or organization demonstrating need for such seized vehicle, so that such seized vehicle may be put into use by the funded agency or organization in the regular course of business of that funded agency or organization. Any such transfer of forfeited vehicles under this subsection may result in an in-kind deduction from those funds paid by the City to the specific agency or organization; or
 - (4) By a public notice of at least five days, sell such forfeited property at a public sale conducted by the City.
- B. The net proceeds from any sale pursuant to subsection A(4) of this section or from any compromise, settlement or adjustment by the Corporation Counsel pursuant to § 137-7 of this chapter, after deduction of the lawful expenses incurred, shall be paid into an account to be designated "Chapter 137 Forfeiture Proceeds." Monies paid into this account shall be used for the costs of the respective City departments administering the provisions of this chapter, including but not limited to costs of seizing property, publication service and legal costs; any balance shall be used to fund program initiatives in law enforcement and education/prevention.

§137-9. Public Education.

The City of Mount Vernon shall conduct public education to advise members of the public, the judiciary, and legal community of the provisions of this chapter.

§ 137-10. Annual Report.

The City of Mount Vernon Police Department shall provide a detailed annual report to the City Council on the enforcement of this chapter for the previous year. Such a report shall include appropriate statistical analysis and comments.

§ 137-11. Severability.

If any clause, sentence, subparagraph, subsection or section of this chapter shall be held invalid by any court of competent jurisdiction, or the application of this chapter to any person or set of circumstances shall be held invalid, such invalidity or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subparagraph, subsection, section, or operation of this chapter directly involved in the controversy in which the judgment shall have been rendered. To further this end, the provisions of this chapter are hereby declared to be severable.

Section 2. Effective Date. This ordinance shall take effect upon review and acceptance from the 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 -1258

Agenda Date: 3/12/2025

Agenda #: 14.

City Council:

**A RESOLUTION APPOINTING
NICOLE J. BONILLA AS CITY CLERK
FOR THE CITY OF MOUNT VERNON**

WHEREAS, pursuant to Section 34 of the City Charter, as amended by Local Law No. 4 of 2008, the City Council shall appoint to hold office during its pleasure a City Clerk of Mount Vernon and;

WHEREAS, the City Clerk's duties shall be as specified in the City Charter and Code, and as otherwise prescribed by law or by ordinance; and

WHEREAS, the City Council desires to confirm the promotion of Nicole Bonilla to the position of City Clerk; and

WHEREAS, Ms. Bonilla's experience, qualifications and leadership skills, including holding a Master of Business Administration degree, demonstrates a foundation in organizational management and strategic planning; and

WHEREAS, as Deputy City Clerk, Ms. Bonilla has demonstrated the skill of managing multiple assignments, support of the Clerk's Office and other significant contributions which makes her qualified for the City Clerk's position; **NOW, THEREFORE, BE IT**

RESOLVED that the City Council of Mount Vernon, New York hereby confirms the appointment of Nicole Bonilla as City Clerk, commencing February 24, 2025; and be it further

RESOLVED, that this resolution shall take effect immediately.

**A RESOLUTION APPOINTING
NICOLE J. BONILLA AS CITY CLERK
FOR THE CITY OF MOUNT VERNON**

WHEREAS, pursuant to Section 34 of the City Charter, as amended by Local Law No. 4 of 2008, the City Council shall appoint to hold office during its pleasure a City Clerk of Mount Vernon and;

WHEREAS, the City Clerk's duties shall be as specified in the City Charter and Code, and as otherwise prescribed by law or by ordinance; and

WHEREAS, the City Council desires to confirm the promotion of Nicole Bonilla to the position of City Clerk; and

WHEREAS, Ms. Bonilla's experience, qualifications and leadership skills, including holding a Master of Business Administration degree, demonstrates a foundation in organizational management and strategic planning; and

WHEREAS, as Deputy City Clerk, Ms. Bonilla has demonstrated the skill of managing multiple assignments, support of the Clerk's Office and other significant contributions which makes her qualified for the City Clerk's position; **NOW, THEREFORE, BE IT**

RESOLVED that the City Council of Mount Vernon, New York hereby confirms the appointment of Nicole Bonilla as City Clerk, commencing February 24, 2025; and be it further

RESOLVED, that this resolution shall take effect immediately.