



## 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*

January 28, 2025

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

RE: Fees In Addition To Fines [Request For Reimbursement Of Costs Incurred In Response To Illicit  
Sewer Discharge Incident]

Dear Honorable Members of the City Council,

**1. PURPOSE.** This memorandum informs recipients of an incident at 10 North 3rd Ave, cross: 17-1 East Prospect Ave, Mount Vernon, NY 10550 the commercial establishment known as "Chicken Hut" and response by department of public works.

**2. BACKGROUND.** On the morning of January 17, 2025, at approximately 8:30 am, the department of public works emergency sewer bureau (E.S.B.) identified and halted an illegal sewer discharge by aid & j hood cleaners. Our sewer crew witnessed this vendor, hired by chicken hut, to perform routine maintenance on the restaurant's commercial hood and grease traps. They were observed discharging F.O.G. (fats, oils, and grease) directly into the MS4 system (municipal separate storm sewer system), compromising the safety and cleanliness of our community, and counter to any best practices and city §154-6. Sewer foreman was summoned, who summoned the Public Works Deputy Commissioner, who contacted the building department and simultaneously gave the order to contact N.Y.S.D.E.C. spill response, who deemed it serious enough for a spill number, and also ordered the municipality to take immediate measures to rectify the situation.

**3. ACTION.** The C.M.V. D.P.W. did take corrective measures resulting in the quick operations of the following personnel and apparatus:

*// please see next page for graph //*

*"The Jewel of Westchester"*

EMPLOYEE NAME	HOURS OF OPERATION	EMPLOYEE RATE (HOUR-USD)	APPARATUS / EQUIPMENT	EQUIPMENT RATE (HOUR)	TOTAL (USD)
NUCULOVIC,J.	1.5	57.16	C-3	27.78	127.41
CARRETTA,J.	1	63.36	C-3	-	63.36
BENNETT,R.	4	46.88	E-1	27.78	298.64
DAVIS,G.	4	28.73	E-23	22.91	246.56
BUTLER,K.	4	35.98	E-23	-	143.92
KENDALL,T.	3.5	38.73	E-4	109.97	520.45
LEWIS,R.	3	38.73	E-2	107.72	439.35
STEVENSON,D.	3	32.95	E-2	-	98.85

**4. CHARGE.** The business was cited for §154-6 by Sewer Foreman. This is the third incident within twenty-four months with regarding this infraction by this business. We seek compensation/restitution in the amount of 1938.54USD.

**5. POINT OF CONTACT** for this communique is the undersigned at [914]665-2343, or at [dpwcommissioner@mountvernonny.gov](mailto:dpwcommissioner@mountvernonny.gov).



Damani L. Bush  
Commissioner of Public Works  
DB/jn

Enclosure: Violation



CITY OF MOUNT VERNON, NEW YORK  
DEPARTMENT of PUBLIC WORKS

SHAWYN PATTERSON-HOWARD  
Mayor

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

DAMANI L. BUSH  
Commissioner  
ROBERT L. HACKETT  
Deputy Commissioner

STATE OF NEW YORK: COUNTY OF WESTCHESTER CITY  
COURT: CITY OF MOUNT VERNON

THE PEOPLE OF THE STATE OF NEW YORK

Against

JNR REALTY CORP. DANIELLA REALTY CORP C/O DEFRIN  
217 E. 85TH ST. #174  
NEW YORK, NY 10028

Defendant(s)

Be it known that the complainant herein, Ramone Bennett of the DEPARTMENT OF PUBLIC WORKS accuses the defendant(s) named above, in violation of the Mount Vernon City Code Section as shown below.

Said offense committed at: 4 THIRD AV ,N. IN MT. VERNON on 01/17/2025, at about 8:22 AM.

COUNT ONE: The offense of the violation shown below, of the code of the CITY OF MOUNT VERNON, NEW YORK and, in support of the foregoing, your complainant under penalty of Section 210.45 of the penal law state as follows:

ACCUSATORY PART:

§ 154-6 Discharge prohibitions - Prohibition of Illegal Discharges. No person shall discharge or cause to be discharged into the City's MS4 any materials other than stormwater except as provided in § 154-6A. The commencement, conduct or continuance of any illicit (illegal) discharge to the MS4 is prohibited except as described as follows:

A. The following discharges are exempt from discharge prohibitions established by this chapter, unless they are subsequently determined to be substantial contributors of pollutants: water line flushing or other potable water sources, uncontaminated landscape irrigation or lawn watering, existing diverted stream flows, rising groundwater, uncontaminated groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains, uncontaminated crawl space or basement sump pump discharges, air conditioning condensate, uncontaminated irrigation water, springs, water from individual residential car washing, natural riparian habitat or wetland flows, dechlorinated swimming pool discharges, residential street wash water, water from firefighting activities, and any other water source not containing pollutants. Such exempt discharges shall be made in accordance with an appropriate plan for reducing pollutants.

Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this chapter shall be guilty of a violation punishable by a fine not exceeding \$1,000 or imprisonment for a period not to exceed two months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than \$1,000 nor more than \$2,000 or imprisonment for a period not to exceed two months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than \$2,000 nor more than \$5,000 or imprisonment for a period not to exceed two months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial

officers generally, violations of this chapter shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

FACTUAL PART: I Ramone Bennett, officer/agent of the Department of Public Works, witnessed on 01/17/2025 at about 8:22 AM an Illicit sewer discharge located at 4 THIRD AV,N. The owner of Chicken Hut hired Aid & J Hood Cleaning to clean their grease traps and filters and dispose of them into oil drums, Aid & J Hood employees, were witnessed by Sewer Foreman Ramone Bennett pressure washing the grease traps directly above the Cities MS4 system allowing all run-off to illegally discharge into the system. This is the 3rd encounter where Chicken Hut employees or agents authorized by Chicken Hut owners were caught illegally discharging into the Cities MS4 system. The Department of Environmental Conservation was notified about the illegal discharge and provided us with this spill # for record (Spill # 2408605).

The above allegations of fact are made by the complainant herein on direct knowledge.

NOTICE: PURSUANT TO THE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN.

Signed *Ramone Bennett*















