

1. Special Common Council Meeting  
Special Common Council Meeting

Documents:

[0 CCM CALENDAR 9.18.23.PDF](#)

2. Special Common Council Meeting  
Special Common Council Meeting

Documents:

[PUBLIC NOTICE OF SPECIAL COMMON COUNCIL MEETING 9-18-2023 MPH.PDF](#)  
[J-1 SIGNED RESOLUTION AUTHORIZING SETTLEMENT.PDF](#)  
[J-2 STREET CLOSURE FOR REV JEANETTE PHILLPS FUNERAL SERVICE.PDF](#)

CALENDAR  
PEEKSKILL COMMON COUNCIL SPECIAL  
COMMON COUNCIL CHAMBERS  
September 18, 2023

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. NEW BUSINESS

REGULAR AGENDA

1. Reso. re: Settlement of Lawsuit

D. ADJOURNMENT

DATE: September 18, 2023  
PEEKSKILL, NEW YORK

TIMETABLE

7:00 P.M. - Committee of the Whole Meeting

7:30 P.M. - Common Council Special Meeting



## **PUBLIC NOTICE OF SPECIAL COMMON COUNCIL MEETING**

NOTICE IS HEREBY GIVEN that the Common Council of the City of Peekskill will hold a Special Common Council meeting on the **18th day of September, 2023 at 7:30 P.M.** or as soon thereafter as may be convenient. The meeting will be held in person at the City Hall Common Council Chambers. The information will be made available on the City of Peekskill website on the Common Council Meeting Calendar and Agenda. The purpose of said special meeting is to consider a Resolution to settle pending litigation.

**BY ORDER OF THE COMMON COUNCIL OF THE CITY OF PEEKSKILL**

CASSANDRA REDD  
CITY CLERK

**CITY OF PEEKSKILL COMMON COUNCIL  
PEEKSKILL, NEW YORK**

**AGENDA BILL**

SUBJECT:  RESOLUTION AUTHORIZING SETTLEMENT OF A LAWSUIT	FOR AGENDA OF: 9-18-2023	AGENDA #J-1
	DEPT. OF ORIGIN:	CORPORATION COUNSEL
	DATE SUBMITTED:	SEPTEMBER 18, 2023
	DEPARTMENT HEAD:	TIMOTHY KRAMER
	EXHIBITS:	

APPROVED BY COMPTROLLER	<i>JJJ</i>
APPROVED AS TO FORM BY CORPORATION COUNSEL	<i>TKK</i>
APPROVED BY CITY MANAGER FOR SUBMISSION	<i>mea</i>

EXPENDITURE REQUIRED \$		AMOUNT BUDGETED \$		APPROPRIATION REQUIRED \$	
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**SUMMARY STATEMENT**

THIS RESOLUTION AUTHORIZES THE CITY MANAGER OR HIS DESIGNEE TO EFFECTUATE THE SETTLEMENT OF A LAWSUIT FILED BY DAVID MALDONADO, IN THE WESTCHESTER COUNTY SUPREME COURT IN THE AMOUNT OF ONE MILLION DOLLARS (\$1,000,000.00)

**RECOMMENDED ACTION**

ADOPT THE RESOLUTION TO AUTHORIZE SETTLEMENT

MOVED BY:

SECONDED BY:

ROLL CALL VOTE			
MAYOR MCKENZIE		COUNCILMAN DOUGLAS	
DEPUTY MAYOR RILEY		COUNCILMAN FERNANDEZ	
COUNCILWOMAN TALBOT		COUNCILMAN SCOTT	
COUNCILMAN FASSETT			

**RESOLUTION AUTHORIZING THE CITY MANAGER TO SETTLE A LAWSUIT  
FILED BY DAVID MALDONADO IN THE WESTCHESTER COUNTY SUPREME  
COURT**

**WHEREAS**, David Maldonado filed a lawsuit against the City of Peekskill and individual employees of the City of Peekskill; and

**WHEREAS**, the parties have reached an agreement to settle the lawsuit by payment made by the City to David Maldonado in the amount of One Million Dollars (\$1,000,000.00) in exchange for a release to resolve all claims among them; and

**WHEREAS**, the settlement is fair and reasonable, settles all claims that were or could have been asserted against the City and avoids the expense and risk of litigation; and

**WHEREAS**, the City Manager finds that it is in the best interest of the City of Peekskill to settle this matter for the amount agreed upon by the parties; and

**WHEREAS**, the Common Council finds that it is in the best interest of the City of Peekskill to settle this matter for the amount agreed upon by the parties; and

**WHEREAS**, the amount of \$1,000,000 will be transferred from the current Unassigned Fund Balance to Restricted Fund Balance for Liability and Casualty Claims; and

**WHEREAS**, the funds will be amended from the Restricted Fund Balance to the expense line 001.1900.1930.0000.0000 when payment is to be issued; and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Corporation Counsel is hereby authorized to settle this lawsuit filed by David Maldonado against the City of Peekskill and individual employees of the City of Peekskill in the Westchester County Supreme Court; and be it further

**RESOLVED**, that the Corporation Counsel is hereby authorized to execute any and all documents on behalf of the City of Peekskill in connection with this settlement for the amount of One Million Dollars (\$1,000,000.00), including but not limited to settlement agreements and releases, subject to the review and approval of the City Manager; and be it further

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

**CITY OF PEEKSKILL COMMON COUNCIL  
PEEKSKILL, NEW YORK**

**AGENDA BILL**

SUBJECT: STREET CLOSURE FOR BROWN STREET FROM SOUTH DIVISION STREET TO BANK STREET FOR FUNERAL SERVICE

FOR AGENDA OF: 9/18/23		AGENDA #J-2
DEPT. OF ORIGIN:	CITY CLERK'S OFFICE	
DATE SUBMITTED:	9/18/23	
DEPARTMENT HEAD:	CASSANDRA REDD	
EXHIBITS:		

APPROVED BY COMPTROLLER	
APPROVED AS TO FORM BY CORPORATION COUNSEL	<i>TWK</i>
APPROVED BY CITY MANAGER FOR SUBMISSION	<i>mca</i>

EXPENDITURE REQUIRED \$	AMOUNT BUDGETED \$	APPROPRIATION REQUIRED \$

**SUMMARY STATEMENT**

THIS RESOLUTION AUTHORIZES THE STREET CLOSURE OF BROWN STREET FROM SOUTH DIVISION STREET TO BANK STREET ON THURSDAY, SEPTEMBER 21, 2023 FROM 9:00AM TO 2:00PM FOR FUNERAL SERVICE FOR REVEREND JEANETTE PHILLIPS.

**RECOMMENDED ACTION**

STAFF RECOMMENDS APPROVAL.

MOVED BY:

SECONDED BY:

ROLL CALL VOTE			
MAYOR MCKENZIE		COUNCILMAN DOUGLAS	
DEPUTY MAYOR RILEY		COUNCILMAN SCOTT	
COUNCILWOMAN TALBOT		COUNCILMAN FASSETT	
COUNCILMAN FERNANDEZ			

**RESOLUTION AUTHORIZING THE STREET CLOSURE OF BROWN STREET FROM SOUTH  
DIVISION STREET TO BANK STREET**

**WHEREAS**, Sun River Health has submitted a request to hold a funeral service in honor of Rev. Jeanette Phillips, one of the Founding Mothers of the Peekskill Health Center, on Thursday, September 21, 2023; and

**WHEREAS**, Sun River Health is requesting the street closure of Brown Steet from South Division Street to Bank Street on Thursday, September 21, 2023 from 9:00am to 2:00pm;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Chief of Police is authorized to close Brown Street from South Division Street to Bank Street on Thursday, September 21, 2023 from 9:00am to 2:00pm.