

FINAL

**CITY OF PEEKSKILL
PEEKSKILL FACILITIES DEVELOPMENT CORPORATION
FINAL MEETING MINUTES**

Tuesday, February 28, 2022 at 7:00 P.M.

Members of the public will also be provided access to listen to a live stream of this meeting via audio broadcast on the Government Access Cablevision Channel 78/Verizon Fios Channel 28, or on the Peekskill website at <https://www.cityofpeekskill.com/home/pages/meeting-video>. A recording will be at the PIDA website along with transcribed meeting minutes when available.

The Chair opened the Public Hearing for the Teleconferencing Policy Public Hearing and Mr. Miller explained the purpose of the Policy as providing for Board Members with proper authorization to be able to participate in and vote at meetings; but not be counted to make a Quorum. There being no further comments the Public Hearing was closed.

Ms. Post called the meeting to order at 7:10PM.

Board Members Present: Deborah Post, Alan Kravitz, Juliene Bell-Smith, Rohan de Freitas and Janice Thompson (by video conference).

Board Members Absent:

Staff Present: Matthew Rudikoff, Executive Director, Justin Miller, Esq.

Also Present: Matthew Alexander, City Manager, MJM Television and Video Productions

Ms. Post stated, that with the Teleconferencing Policy Public Hearing closed the Board can consider the Resolution adopting the Policy; which for this meeting, would allow Ms. Thompson to participate in voting - subsequent to the adoption of the Policy. Ms. Bell-Smith moved and Mr. Kravitz seconded a motion adopting the Resolution and approving the Policy. Motion Carried.

**AUTHORIZING RESOLUTION
(Videoconferencing Policy)**

A regular meeting of the City of Peekskill Facilities Development Corporation was convened on Tuesday February 28, 2023 at 7:00 p.m. at 840 Main Street, Peekskill, New York 10566.

The meeting was called to order by the Chairman, with the following members being:

Present: Deborah Post, Alan Kravitz, Juliene Bell-Smith, Rohan de Freitas and Janice Thompson (by video conference).

Absent:

The following persons were also present: Matthew Rudikoff, Justin Miller, Matthew Alexander and Mike Miner.

On motion duly made and seconded, the following resolution was placed before the members of the City of Peekskill Industrial Agency:

Resolution No. 2023 - 1

RESOLUTION OF THE CITY OF PEEKSKILL FACILITIES DEVELOPMENT CORPORATION (“AGENCY”) ADOPTING A VIDEOCONFERENCING POLICY TO ALLOW THE USE OF VIDEO CONFERENCING FOR PUBLIC MEETINGS UNDER EXTRAORDINARY CIRCUMSTANCES PURSUANT TO SECTION 103-A OF THE NEW YORK PUBLIC OFFICERS LAW

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 671 of the Laws of 1974 of the State of New York, as amended (collectively, the “Act”), the City of Peekskill Facilities Development Corporation (the “Agency”) was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, Section 103-a of the New York Public Officers Law (“POL”), as enacted by Part WW of Chapter 56 of the Laws of 2022, permits public bodies such as the Agency to authorize their members to attend meetings by videoconference from locations that are not open to the public (“private locations”), when necessitated by “extraordinary circumstances,” provided that (i) the number of members of the public body who attend the meeting at location(s) where the public can attend is at least equal to the number required to satisfy the public body’s quorum requirement, (ii) the public body has established written procedures governing member and public attendance consistent with Section 103-a of the POL, (iii) such written procedures are conspicuously posted on the public website of the public body, and (iv) the other criteria specified in Section 103-a of the POL are satisfied; and

WHEREAS, Agency staff, in consultation with the Agency’s general counsel, have prepared a draft policy in compliance Section 103-a of the POL entitled **Public Meeting Videoconference Policy** (the “Videoconferencing Policy”) attached hereto as **Exhibit A**; and

WHEREAS, Section 103-a(2)(a) of the POL requires that the Agency must adopt a resolution after a public hearing (the “Public Hearing”) in order to authorize videoconferencing from a private location and as described within the Videoconferencing Policy; and

WHEREAS, the Agency duly scheduled, noticed and conducted the Public Hearing on February __, 2023 and the Agency has taken into consideration all comments received; and

WHEREAS, the Agency deems it necessary and appropriate for the board and all committees or subcommittees of the Agency now existing or hereafter established be authorized to use videoconferencing to conduct meetings in the manner contemplated by Section 103-a of the POL.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PEEKSKILL FACILITIES DEVELOPMENT CORPORATION, AS FOLLOWS:

Section 1. The Agency hereby approves and adopts the Videoconferencing Policy and authorizes the Agency and any and all committees or subcommittees of the Agency now existing or hereafter established to use videoconferencing to conduct meetings in the manner authorized by Section 103-a of the POL, including meetings where a member who is unable to be physically present at any such meeting location due to extraordinary circumstances is permitted to attend and participate in the meeting by videoconferencing from a remote location that is not open to the public.

Section 2. The Agency directs that the Videoconferencing Policy be conspicuously posted on the public website of the Agency in compliance with Section 103-a of the POL.

Section 3. Any and all actions heretofore taken or authorized by the Agency and/or its members, officers, employees and agents with respect to this Resolution are hereby ratified, approved and confirmed in all aspects.

Section 4. This Resolution shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nea</u>	<u>Absent</u>	<u>Abstain</u>
Deborah Post	[X]	[]	[]	[]
Alan Kravitz	[X]	[]	[]	[]

Janice Thompson	[]	[]	[]	[]
Julienne Bell-Smith	[X]	[]	[]	[]
Rohan de Freitas	[X]	[]	[]	[]

The Resolution was thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:

I, the undersigned Secretary of the City of Peekskill Facilities Development Corporation (PFDC), DO HEREBY CERTIFY:

That I have compared the foregoing extract of the minutes of the meeting of the PFDC (the “Agency”) including the resolution contained therein, held on February 28, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Agency this ___ day of February 28, 2023.

Janice Thompson
Secretary

On the next Agenda item Ms. Post announced the Peekskill Retail Incubator Emporium and Event Venue discussion for which City Manager, Matthew Alexander is present for the discussion. Mr. Rudikoff, stated that Emporium memorandum attachd to the Agenda describes the project with an overview of the Project concept, the 929-933 South Street buildings involved, potential uses, project organization, images of the buildings and a recommendation that the PFDC consider requesting a meeting with the Common Council to discuss the potential Project.

Ms. Post invited Mr. Alexander to address the Board and Mr. Alexander stated that he had discussed the Emporium redevelopment project with Mr. Rudikoff and that he believed the Project was worthy of continued discussion; and that he believed the idea of the request for the meeting and discussion coming from the PFDC was powerful and was a very effective discussion such as with the early joint conversations about the PFKI

Project. Ms. Post asked if a letter was an appropriate means of communicating with the Council and Mr. Alexander said it was with a copy to him

Discussion continued concerning the property owner, obtaining a Letter of Intent setting forth that the PFDC has the right to plan and organize the project and seek funding. Mr. Defreitas stated that he thought it was an excellent way to bring the pieces together. Mr. Rudikoff added, that after there were an indication of proceeding with next steps an architect would be RFP'd for - to prepare an overview feasibility assessment for the Retail Incubator Emporium use which would identify feasible uses including perhaps a precursor to an installation and space leading to an African American History museum.

Mr. Kravitz commented that included in next steps has to be the beginning of piecing together a pro forma which would reflect pre-development project planning costs, operating costs including lease payments or cash flow through to the property owner and projections product sales.

Ms. Thompson said she is supportive of the idea but has questions about the Emporium use in light of other downtown businesses. If the South Street location being discussed is the best location and that an Emporium is the proper use. Mr. Rudikoff indicated that would be part of the feasibility study he had mentioned before.

Ms. Thomson asked if there are models or other places in a comparable small City urban environment that could provide insights to the idea. Mr. Rudikoff stated that he has been in contact with examples of Emporia in the area for antiques and general merchandise in the region and outside the region such as in Berwyn, Illinois right at the edge of Chicago which is also an Incubator which has spawned new retail businesses that got their start at their Emporium.

Mr. Rudikoff also added that he has spoken to other potential participants regarding operating the retail incubator Emporium containing Peekskill Arts, LatinX , PKFI and African American culture and history themed product offerings to obtain their initial assessment of its feasibility and potential community supplier of product from the arts community as well as from the LatinX community with initial positive reactions. Ms. Thompson added, that she loves the concept but that part of that initial assessment must be a close look at the types of visitors and shoppers that are coming to Peekskill and for what kinds of products; to test the Emporium's initial concepts and ideas for its structure and offerings. M. Rudikoff thanked Ms. Thompson for that input and Ms. Post added that these questions would be looked at in the feasibility assessment and also added that the time frame for which these properties would have to be held off the market.

Mr. Alexander added that feasibility study must also address what will work in Peekskill, what will be good for Peekskill and that the idea of incorporating a look at alternative locations within Peekskill should also be included. Ms. Post said that pursuing these ideas in a meeting with the Council is a good next step and asked Mr. Rudikoff to write a Draft letter with a copy to the City Manager to initiate that process and asked if the Board concurred with that step; and the Board indicated their concurrence.

Ms. Post indicated that the next order of business is an update on the DRI Marketing, Branding, Social Media and Wayfinding Project on the PIDA Agenda which discussion is continued in the PIDA Minutes.

With the conclusion of PIDA business, Ms. Post indicated that the next PFDC Order of Business

Ms. Post indicated that the next item on the PFDC Agenda is the minutes of the October 25, 2022 meeting. There being no changes, Ms. Bell Smith moved and Mr' DeFreitas seconded a motion approving the minutes as presented. Motion Carried.

Ms. Post stated that Financial Reports will be handled in the March Annual Meeting PARIS and financial reporting and discussion. Mr. Kravitz addressed the Board about aspects of the Kitchen Incubator Project including that the preconstruction meeting with the Economic Development Administration's (EDA) Project Engineer, Brett Steinberg is scheduled for March 6, 2023 at which the Project Team including PFDC Treasurer Jessie Boyd to be briefed on all the required reports, forms and procedures and the setting up of the initial submission of a Grant Administrative and Financial Plan and Project Schedule. Mr. Kravitz continued indicating that he wanted the Board to be aware that it will be processing contractor and other project costs, making payments and periodically making reimbursement requests to EDA which when paid will provide the cash for the next payments.

Mr. de Freitas asked about the voucher payment approval process and Mr. Rudikoff responded that initial voucher approval will be made by the Project Architect and then by PFDC staff for submission to the PFDC Board to authorize payments. Project reports will be due quarterly and financial reports will be due semi- annually. PFDC Treasurer Boyd is reviewing Financial Management requirements and going through the EDA procedures. A major area of focus was the procedures for RFP preparation for

subconsultants such as the Civil and Mechanical Engineers and the Kitchen incubator consultant whose costs will be grant eligible if the correct procedures are followed.

There being no further PFDC business, Ms. Bell-Smith moved and Ms. Thompson seconded a motion adjourning the meeting at 8:35PM. Motion Carried.