

A public meeting of the Common Council was held in the Common Council Chambers of the Municipal Building, 840 Main Street, Peekskill, New York and virtually via ZOOM on April 10, 2023 beginning at 7:30 p.m., with Mayor Vivian McKenzie presiding, following the Pledge of Allegiance to the Flag.

Present were: Councilmen Brian Fassett, Robert Scott, Dwight Douglas, Ramon Fernandez and Councilwoman Kathleen Talbot, Deputy Mayor Patricia Riley, and Mayor Vivian McKenzie.

Also present were: City Manager Matthew Alexander, Corporation Counsel Timothy Kramer, City Clerk Cassandra Redd and Sergeant at Arms, Chief Dylewski.

PUBLIC COMMENTS ON AGENDA ITEMS

Leesther Brown, asked for the meaning of a letter of joinder, who is able to use the kitchen incubator and the explanation of the Demand Response Agreement.

COMMUNICATIONS

Public Comments nor Communications will no longer be read. This was established in the Committee of the Whole Meeting on April 10, 2023. They will be placed in the minutes and posted on the website.
Brian Orsi- PFDC fr meeting 4/10/23 see attached.

DEPARTMENT HEAD AND CITY MANAGER REPORTS

City Manager Matt Alexander reported on the following areas:

- * Educating businesses and residents inside the BID to follow garbage collection.
- * Enforcement of Tree Ordinance – 14 permits and 9 tickets have been issued.
- * Building Department – looking to fill another position for possible weekends and off hours
- * Flyer for Tree Ordinance will be place in water bills to advise the Tree Ordinance is in effect.

NEW BUSINESS

Resolution #J-1 - Tax Warrants 2023

Deputy Mayor Riley moved to adopt the following resolution:

TAX WARRANT FOR THE COLLECTION OF 2023 CITY, COUNTY AND SPECIAL DISTRICTS BY THE CITY OF PEEKSKILL

To: Toni Tracy, Comptroller or your successor;

YOU ARE HEREBY authorized to receive and collect from the several persons and corporations names in the tax roll hereunto annexed, the several sums stated therein opposite their respective names, being a total of \$30,297,286 for the following purposes:

Westchester County	\$6,022,322
County MTA	377,699
County Solid Waste	834,203
County Sewer	2,961,777
City of Peekskill	18,493,000
Library Fund	1,458,000
Business Improvement	100,000
Energize NY	50,285
TOTAL	\$30,297,286

YOU ARE FURTHER authorized to Bill and collect Returned Water, Sewer and Deferred taxes.

YOU ARE FURTHER authorized to receive and collect such sums for the tax year 2023 together with additional sums until paid, all in the manner as provided by law.

YOU ARE FURTHER authorized to deposit in the credit of the City of Peekskill as provided by the Charter of the City of Peekskill and amendments thereto, such taxes and assessments being levied against the said taxable property in the City of Peekskill for the fiscal year commencing January 1, 2023.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-2 - Adopt Drinking Water Source Protection Plan

Councilman Fernandez moved to adopt the following resolution:

**RESOLUTION DECLARING THE INTENT OF THE CITY OF PEEKSKILL TO
ADOPT THE DWSP2 PLAN**

WHEREAS, in 2021 the City applied for and was awarded technical support from the NYS Drinking Water Source Protection Program (DWSP2) for the purpose of developing a plan to protect the quality of their public water supply; and

WHEREAS, local stakeholders worked closely with a NYS-funded technical team of water resource engineers, scientists, hydrogeologists, and planners to draft a DWSP2 Plan tailored to the local conditions and priorities; and

WHEREAS, it is the intent of the City of Peekskill Common Council to assume the role of “Lead Agency” for purposes of conducting a SEQRA/SERP assessment of the Project; and

WHEREAS, a draft DWSP2 Plan was reviewed by local officials at a public session on Monday, January 23, 2023 and April 3, 2023; and

WHEREAS, whereas, a final DWSP2 Plan was accepted by NYS agency representatives by letter dated March 13, 2023; and

WHEREAS, whereas, the adoption of the DWSP2 Plan was considered under SEQRA and classified as a Type II Action per section 617.5(c) (27) “conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action” and as such is subject to no further environmental review.

NOW, THEREFORE BE IT

RESOLVED, that the Common Council of the City of Peekskill hereby is adopts the DWSP2 Plan; and be it further

RESOLVED, that the City shall take all steps necessary to effectuate the intent of this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.
It was seconded by Councilman Scott and unanimously passed.

Resolution #J-3 - Adopt Natural Resource Inventory

Councilman Doulgas moved to adopt the following resolution:

**RESOLUTION OF THE COMMON COUNCIL ADOPTING THE CITY OF
PEEKSKILL NATURAL RESOURCE INVENTORY**

WHEREAS, a Natural Resource Inventory (NRI) has been a long time goal of the Peekskill Conservation Advisory Council (CAC) and the City of Peekskill; and

WHEREAS, the City of Peekskill engaged MJ Engineering and Land Surveying, P.C. of Clifton Park (Consultant) to work collaboratively with City staff and members of the CAC to assist the City and the public in identifying and understanding important natural resources located within the City of Peekskill and to prepare an NRI; and

WHEREAS, the NRI includes maps displaying the City's water, wetlands, geological, ecological, forested and recreational resources and their significance to the community; associated data; a description of inventoried resources; and recommendations on how the NRI can be best used; and

WHEREAS, the purposes of the NRI include: (i) providing a foundation for comprehensive land use and conservation planning; and (ii) supporting the consideration of natural resources in local zoning and planning decisions; and

WHEREAS, the first draft of the NRI was presented to the Common Council on December 19th, 2023, public workshops were held, and the final draft was presented to the Common Council on March 26, 2023, in order to solicit comments on the document; and

WHEREAS, input from the CAC, members of the public, City staff, and the Common Council were incorporated into the draft Natural Resources Inventory to create the final NRI; and

WHEREAS, the NRI data files belong to the City of Peekskill and therefore can and will be updated as needed or within the recommended 10 year time range.

NOW, THEREFORE, BE IT

RESOLVED, by the Common Council of the City of Peekskill that the Peekskill Natural Resource Inventory dated April 2023 is hereby adopted and is available on the City website for access by the public.

It was seconded by Councilman Scott and unanimously passed.

Resolution #J-4 - Authorize letter of joinder for kitchen incubator

Councilman Scott moved to adopt the following resolution:

**RESOLUTION AUTHORIZING THE CITY MANAGER TO
SIGN A LETTER OF JOINDER FOR THE
PEEKSKILL FACILITIES DEVELOPMENT
CORPORATION TO APPLY FOR A KITCHEN
INCUBATOR
AT 701 WASHINGTON STREET**

WHEREAS, by Resolution J-10 on January 23, 2023 the Common Council authorized the City Manager to sign a grant application to be co-grantee with the Peekskill Facilities Development Corporation (“PFDC”) for the Peekskill Firehouse Kitchen Incubator Project located at 701 Washington Street; and

WHEREAS, the Incubator Project received a \$2.4 million USEDA Construction Grant for the renovation of the former firehouse at 701 Washington Street, currently owned by the City of Peekskill; and

WHEREAS, the Project requires approvals from the Planning Commission and the Common Council, and applications will be prepared for submittal by the PFDC; and

WHEREAS, the City of Peekskill is the owner of the subject site and a Letter of Joinder is required to authorize the PFDC to submit the applications to the City.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager is hereby authorized to sign the Letter of Joinder attached hereto; and be it further

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-5 - Volunteer Firefighter Length of Service Awards Program for 2022

**RESOLUTION OF THE COMMON COUNCIL
CERTIFYING THE 2022 POINTS LISTING FOR THE CITY OF PEEKSKILL
VOLUNTEER FIREFIGHTER LENGTH OF SERVICE AWARDS PROGRAM**

WHEREAS, the City of Peekskill administers the Length of Service Awards Program for volunteer firefighters under New York State General Municipal Law (GML) Article 11-A; and

WHEREAS, GML Article 11-A requires that a list of volunteer firefighters of the City of Peekskill Fire Department who earned a year of service credit during 2022 be submitted for review and certification by the Common Council of the City of Peekskill; and

WHEREAS, under GML Article 11-A, this certified list of volunteer firefighters of the City of Peekskill Fire Department has been submitted to the Common Council of the City of Peekskill to be reviewed and certified; and

WHEREAS, after reviewing the 2022 points listing of volunteer firefighters of the City of Peekskill Fire Department, this Council wishes to certify approval; and

WHEREAS, pursuant to GML Article 11-A, this certified list shall be posted publicly for at least 30 days.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Peekskill hereby certifies the 2022 Service Awards listing of volunteer firefighters of the City of Peekskill Fire Department and authorizes posting of the certified list for at least 30 days, and be it further

RESOLVED, that this Resolution takes effect immediately.

It was seconded by Deputy Mayor Riley and unanimously passed.

Resolution #J-6 - Demand Response Agreement

Councilwoman Talbot moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH LOGICAL BUILDINGS TO PARTICIPATE IN A DEMAND RESPONSE PROGRAM

WHEREAS, the Sustainability Coordinator, employed by the Center for Economic and Environmental Inc., who works as a contractor for the City of Peekskill has recommended that the City enter into a Demand Response Program (“DRP”) Agreement with Energy Technology Savings, Inc., doing business as Logical Buildings; and

WHEREAS, a DRP is an agreement whereby participants agree to reduce electric usage during certain peak demand times to conserve electrical usage by the entire grid and prevent overloads from shutting down the grid’s supply of electricity to an entire region; and

WHEREAS, the DRP would dictate that a certain payment would be made to the City for power reductions made by the City during peak times; and

WHEREAS, the Common Council has agreed that its participation in a DRP will not only conserve electricity but also be profitable for the city; and

WHEREAS, the agreement with Logical Buildings allows the City to cancel the agreement and/or not act at any time during the agreement; and

WHEREAS, the Common Council reviewed the DRP concept, and determined that it is in the best interest of the City to participate in a DRP.

NOW THEREFORE, BE IT

RESOLVED, that the Common Council hereby authorizes the City Manager or his designee is hereby authorized to enter into a contract with Logical Buildings to participate in a DRP; and be it further

RESOLVED: that the contract shall be subject to the review and approval of the City Manager, Comptroller and Corporation Counsel; and be it further

RESOLVED, that the Common Council hereby authorizes the City Manager or his designee to take and all necessary steps to effectuate the intent of this Resolution.

It was seconded by Councilman Scott and unanimously passed.

CITIZENS DESIRING TO BE HEARD

Nancy Wareham- Gordon, 921 Diven Street, wanted Peekskill shops and restaurants to sell prepared foods to go to when shops and restaurants close.

Elizabeth McCorvey – 150 N. Division Street, Family Resource Center, expressed concerned with the unfair treatment of black people by Mr. Rudikoff.

Leesther Brown, Peekskill, questioned for clarity about enforcement of the Tree Ordinance.

ADJOURNMENT

Motion made by Councilman Fassett to adjourn the meeting, seconded by Councilwoman Talbot unanimously approved by acclamation. Meeting adjourned at 7:53pm.

Respectfully submitted,

Cassandra Redd, MPA
City Clerk

Redd, Cassandra

From: Brian Orsi <mr.brianorsi@gmail.com>
Sent: Monday, April 03, 2023 11:16 AM
To: McKenzie,Vivian; Fassett, Brian; Fernandez, Ramon; Riley, Patricia; Douglas, Dwight; Scott, Rob; Talbot,Kathie
Cc: Alexander, Matthew; Redd, Cassandra
Subject: Re: PFDC for meeting 4/10/23

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Council

The retail incubator South Street proposal is interesting, and I applaud the PFDC and Matt Rudikoff for trying to address the retail desert that is Peekskill.

However, I am concerned that through this action you are, indirectly at least, rewarding bad actors. This owner has, for years, allowed their properties to rot, to the detriment of Peekskill. In case you haven't been inside, both buildings are at this point tear downs (which is a shame, because one of them has original tile floors, etc.) Both buildings' roofs are rotted, and in the winter, water spills down on the un-shovleved sidewalks, creating a danger. Several years ago, her frontage was deemed unsafe but instead of the city pushing her to properly dig up and cement the walkway, she was allowed to blacktop it; it is now an eyesore on top of the eyesore of the buildings.

My point is that I am unsure if an owner that behaves like this deserves public investment. She has had these properties on the market for years, at an outrageous price. I hope the city isn't considering buying them for this price.

Hopefully these ongoing meetings on this will flush out the details, but right now, this proposal brings to mind the "art center" at the Ford Piano building. It sounds like something everyone in town would be all for, but there are little to no details, and again, it just seems like the city is bailing out bad actors. I fear the grant money diverted from the Paramount could be squandered. And the Paramount desperately needs investment to become relevant.

I've been a real estate agent for a decade, and as you know, am a retail business owner in town. If the city truly wants to incubate retail, you need to address the artificially vacant storefronts in town, as well as an excess of less than legal, all cash businesses operating.

When a for rent sign does actually get put in a window, it's usually the same agent and brokerage in town. Something doesn't add up here.

Code enforcement was touted at the recent state of the city address, but I wonder how much of that enforcement was aimed at commercial owners. When it is more lucrative (by way of write offs) for these owners to keep their storefronts empty than it is to fill them, you will continue to see our downtown struggle. There are several ways this council can address this. All it takes is some vision and courage.

Sincerely,
Brian Orsi

Pardon any brevity or errors, sent from my phone.