

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 May 8, 2023, beginning at 7:37 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, Councilwoman Kathleen Talbot (online), Deputy Mayor Patricia Riley, and Mayor Vivian McKenzie.

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

Proclamations were awarded to Jennifer Brown, Executive Director of Filed Library in recognition of National Library Week. Wilfredo Morel accepted on behalf of Ayanna Davis who was recognized for Black Women's History Month in April.

PUBLIC COMMENTS ON AGENDA ITEMS

None

COMMUNICATIONS

DTHenry – 5/8/23 see attached

DEPARTMENT HEAD AND CITY MANAGER REPORTS

City Manager Matt Alexander reported on the following areas:

*Code enforcement focused on overcrowding and illegal apartments being stopped.

*See Click Fix program moving forward. Council will be set up during the trial period.

*Planning Dept, Chris Gross and CM met with AKRF and toured the City for walkability.

*Dept of Transportation award up to \$3 million between City, Town of Cortland and Yorktown for bikeable, walkable and more efficient and safety.

*CM took a Peekskill Museum tour to see their needs.

*HRC interested in helping the City put together functions that would foster inclusivity. Ex. African American Heritage Museum

*4th of July activities – parade, fireworks and concert discussions

*Capital programs discussion with Finance

*Cherry Blossom and Cinco de May events discussions

NEW BUSINESS

Public Hearing – Mayor McKenzie stated the purpose of the Public Hearing was to hear public comment on a proposed Local Law repealing Chapter 486 of the Peekskill City Code entitled “Special Events” and replacing it with new Chapter 486 entitled “Special Events”.

Mayor McKenzie declared the meeting opened.

The Clerk read the Notice of Public Hearing and advised the Legal Notice was published in the Journal News on May 1, 2023.

Corporation Counsel Tim Kramer gave a statement by City Official.

Joe Brady, 1829 Maple Avenue, wished to speak during the Public Hearing. Statement attached.

There was no one on Zoom who wished to speak.

There were no more citizens desiring to be heard. Motion to close public hearing was made by Deputy Mayor Riley and seconded by Councilman Fassett.

Resolution #J-1 - Schedule Common Council Summer Meeting Dates

Councilman Fernandez moved to adopt the following resolution:

RESOLUTION SETTING THE SUMMER SCHEDULE FOR COMMON COUNCIL AND COMMITTEE OF THE WHOLE MEETINGS

WHEREAS, Section C32 of the Charter of the City of Peekskill provides that the Common Council shall hold stated meetings at least twice a month, except that the Common Council may, by resolution, dispense with the holding of stated meetings during the months of July and August in each year; and

WHEREAS, it has been recommended by the City Manager that meetings be scheduled during July and August to assure continuing attention to City business during those months.

NOW, THEREFORE, BE IT

RESOLVED, that the Committee of the Whole Meetings will be held on Mondays, July 10, 2023, July 17, 2023, and August 14, 2023 at 7:00 p.m. in the Common Council Chambers, and on Monday, August 21, 2023 at 9:30 am at the Neighborhood Center located at 4 Nelson Avenue; and be it further

RESOLVED, that the Common Council Meetings will be held on Monday, July 17, 2023 in the Common Council Chambers at 7:30 p.m. and on Monday, August 21, 2023 at 10:00 a.m. at the Neighborhood Center located at 4 Nelson Avenue; and be it further

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-2 - Bank Street Closure for BID Farmers Market

Councilman Douglas moved to adopt the following resolution:

**RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF
BANK STREET AND A MUNICIPAL PARKING LOT FOR THE
PEEKSKILL FARMER'S MARKET**

WHEREAS, this Council has received a request from the Business Improvement District (BID) in regard to the closing of Bank Street, from Park Street to Main Street, and the east side of the Park Street parking lot, for the purpose of operating a Farmers Market within the City of Peekskill; and

WHEREAS, this Council has determined that the operation of the Farmers Market has been beneficial to the downtown area of the City of Peekskill; and

WHEREAS, this Council deems it in the best interest of the City to authorize the street and municipal parking lot closures as necessary to allow the operation of the Farmers Market.

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police is hereby authorized to close Bank Street, between Main Street and Park Street, to traffic on each Saturday between

the dates of June 3, 2023, through November 18, 2023, inclusive for a period from 6:00 AM to 3:00 PM; and be it further

RESOLVED, that for the purposes of this Farmers Market Program, the City Code provisions that restrict sales, display and storage of merchandise on the sidewalks of the City of Peekskill is hereby suspended upon the following conditions:

1. This suspension shall operate solely for the benefit of those registered farmers and vendors participating in the Farmers Market and for the merchants and retail stores located on Bank Street.

2. This suspension of the City Code prohibitions shall be effective on Saturdays for the period June 3, 2023, through November 18, 2023, inclusive for a period from 6:00 AM to 3:00 PM. At all other times, the provisions of the City Code shall remain in full force and effect.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-3 - Bank Street Closure for BID Flea Market

Councilman Scott moved to adopt the following resolution:

**RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF
BANK STREET FOR THE PEEKSKILL FLEA MARKET ON SUNDAYS
FROM JUNE 4, 2023 THROUGH NOVEMBER 19, 2023**

WHEREAS, this Council has received a request from the Business Improvement District (BID) in regard to the closing of Bank Street, from Park Street to Main Street for the purpose of operating a Flea Market within the City of Peekskill; and

WHEREAS, this Council has determined that the operation of the Flea Market has been beneficial to the downtown area of the City of Peekskill; and

WHEREAS, this Council deems it in the best interest of the City to authorize the street closure as necessary to allow the operation of the Flea Market.

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police is hereby authorized to close Bank Street, between Main Street and Park Street to traffic on each Sunday between the dates of June 4, 2023, through November 19, 2023, inclusive for a period from 6:00 AM to 5:00 PM; and be it further

RESOLVED, that for the purposes of this Flea Market Program, the City Code provisions that restrict sales, display and storage of merchandise on the sidewalks of the City of Peekskill is hereby suspended upon the following conditions:

1. This suspension shall operate solely for the benefit of those registered vendors participating in the Flea Market and for the merchants and retail stores located on Bank Street.

2. This suspension of the City Code prohibitions shall be effective on Sundays for the period June 4, 2023, through November 19, 2023, inclusive for a period from 6:00 AM to 5:00 PM. At all other times, the provisions of the City Code shall remain in full force and effect.

It was seconded by Deputy Mayor Riley and unanimously passed.

Resolution #J-4 - Street Closure for Ozland Festival

Councilman Fassett moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF SOUTH STREET FROM UNION AVENUE TO S. DIVISION STREET ON SEPTEMBER 16, 2023 FOR THE OZLAND FESTIVAL STREET CLOSURE

WHEREAS, this Council has received a request from Scarlett Antonia of Antonia Arts, Inc. in regard to the closing of South Street, from Union Avenue to S. Division Street (not including the intersections) for the purpose of holding the Ozland Festival within the City of Peekskill; and

WHEREAS, this Council has determined that the operation of the Festival will be beneficial to the downtown area of the City of Peekskill; and

WHEREAS, a closure of South Street also requires approval from Westchester County; and

WHEREAS, this Council deems it in the best interest of the City to authorize the street closure as necessary to allow the operation of this festival.

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police is hereby authorized to close South Street, from Union Avenue to S. Division Street not including the intersections to traffic on Saturday, September 16, 2023 between the hours of 9:00 AM to 9:00 PM pending authorization and approval from Westchester County; and be it further

RESOLVED, that for the purposes of this Ozland Festival, the City Code provisions that restrict sales, display and storage of merchandise on the sidewalks of the City of Peekskill is hereby suspended upon the following conditions:

1. This suspension shall operate solely for the benefit of those registered vendors participating in the festival and for the merchants and retail stores located on S. Division Street.

2. This suspension of the City Code prohibitions shall be effective on Saturday, September 16, 2023, inclusive for a period from 11:00 AM to 7:00 PM; and be it further

RESOLVED, that the provisions of the City Code shall remain in full force and effect at all other times.

It was seconded by Councilman Douglas and unanimously passed.

Resolution #J-5 - Road Closure for Peekskill Brewery

Deputy Mayor Riley moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE ROAD CLOSURE OF RAILROAD AVENUE ON MAY 20, 2023 FOR A PEEKSKILL BREWERY (SUBLIME FOOD AND BEVERAGE) EVENT

WHEREAS, this Council has received a request from Katie Tassi of Peekskill Brewery (Sublime Food and Beverage) in regard to the closing of Railroad Avenue for the purpose of holding the Peekskill Brewery (Sublime Food and Beverage) event within the City of Peekskill; and

WHEREAS, this Council has determined that the operation of the event will be beneficial to the downtown area of the City of Peekskill; and

WHEREAS, a closure of Railroad Avenue also requires approval from the Metropolitan Transit Authority (“MTA”); and

WHEREAS, this Council deems it in the best interest of the City to authorize the street closure as necessary to allow the operation of this event; and

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police is hereby authorized to close Railroad Avenue on May 20, 2023 between the hours of 10:00 AM to 10:00 PM, pending authorization and approval from the MTA; and be it further

RESOLVED, that the provisions of the City Code shall remain in full force and effect at all other times.

It was seconded by Councilman Scott.
Mayor McKenzie recused herself because she is a vendor.
Motion passed.

Resolution #J-6 - Reappoint – Margaret Steele to ACC

Councilman Fernandez moved to adopt the following resolution:

RESOLUTION RE-APPOINTING MARGARET STEELE TO THE ARTIST CERTIFICATION COMMITTEE

WHEREAS, a vacancy exists on the Artist Certification Committee; and

WHEREAS, the authority and responsibility to make appointments to boards and commissions rests with the Common Council pursuant to the City Charter and other applicable law, and

WHEREAS, the Common Council desires to make such appointment as it deems in the interest of the City to fulfill existing and impending vacancies;

NOW, THEREFORE, BE IT

RESOLVED, that the following named person is hereby appointed to the Artist Certification Committee.

<u>Artist Certification Committee</u>	<u>Term Commences</u>	<u>Term Expires</u>
Margaret Steele Peekskill, New York 10566	5/9/23	5/9/26

It was seconded by Councilman Scott and unanimously passed.

Resolution #J-7 - Fund for the Fleischmann Pier Capital Account

Councilman Douglas moved to adopt the following resolution:

RESOLUTION AUTHORIZING A TRANSFER OF FUNDS FROM THE PARKS AND RECREATION FUND IN THE AMOUNT OF \$194,431 TO THE CAPITAL PROJECTS FUND, PROVIDING THE CITY MATCH FOR THE FLEISCHMANN PIER GRANT OF \$583,293 TO CONSTRUCT IMPROVEMENTS AT CHARLES POINT PIER PARK.

WHEREAS, improvements to Charles Point Pier Park that are associated with the reconstruction of Fleischmann Pier have been determined to be in the best interest of the City of Peekskill because of their value as unique waterfront destinations that will promote tourism in Peekskill; and

WHEREAS, the City was awarded a \$583,293.00 grant from the New York State Department of State (NYS DOS) to fund the construction of improvements in Charles Point Pier Park, requiring a City match of \$194,431.00; and

WHEREAS, this Common Council finds it to be in the best interest of the City of Peekskill to enter into this contract and to commit matching funds for this project; and

WHEREAS, the funds for the match of \$194,431 are available in the Parks and Recreation account, 011-0011-0003-0000-0000, to be transferred to the Fleischmann Pier Capital Project account, 007-7097-0406-0668, as a city match to construct alternate improvements to the Charles Point Pier Park with the new grant.

NOW, THEREFORE, BE IT

RESOLVED, that the City Comptroller is hereby authorized to transfer the amount of \$194,431 from the Parks and Recreation Fund to the Capital Fund; and be it further

RESOLVED, that the City Manager or his designee is hereby authorized to take all steps necessary to effectuate the intent of the Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-8 - Authorization to post the Peekskill Volunteer Ambulance Workers LOSAP Points

Councilman Scott moved to adopt the following resolution:

**RESOLUTION OF THE COMMON COUNCIL
CERTIFYING THE 2021 POINTS LISTING FOR
THE PEEKSKILL COMMUNITY VOLUNTEER AMBULANCE CORPS
LENGTH OF SERVICE AWARDS PROGRAM**

WHEREAS, the City of Peekskill administers the Length of Service Awards Program for the Peekskill Community Volunteer Ambulance Corps in accordance with NYS General Municipal Law (GML) Article 11-AAA; and

WHEREAS, GML Article 11-AAA requires that a list of volunteers of the Peekskill Community Volunteer Ambulance Corps who earned a year of service credit during 2021 be submitted for review and certification by the Common Council of the City of Peekskill; and

WHEREAS, pursuant to GML Article 11-AAA, this certified list for the Peekskill Community Volunteer Ambulance Corps has been submitted to the Common Council of the City of Peekskill to be reviewed and certified; and

WHEREAS, after reviewing the 2021 points listing of volunteer ambulance workers within the Peekskill Community Volunteer Ambulance Corps, this Council wishes to certify approval; and

WHEREAS, pursuant to GML Article 11-AAA, 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 2021 Service Awards listing for the Peekskill Community Volunteer Ambulance Corps 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-9 - Purchase of 12inch Hydra Stop Machine

Councilman Fernandez moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE WATER SUPERINTENDENT TO PURCHASE A 12 INCH ADD-ON FOR THE WATER DEPARTMENT'S HYDRA STOP INSERTION VALVE MACHINE

WHEREAS, in July 2022, the Water Department purchased a Hydra Stop valve insertion machine in order for the Water Department to install certain valves without shutting down the water system; and

WHEREAS, the Water Department now needs to replace twelve inch valves within the system without disrupting water service, and

WHEREAS, in order for the Water Department to replace the twelve inch valves, the Hydra Stop machine requires an add-on component which the City currently does not own; and

WHEREAS, a twelve inch add-on component to our existing Hydra Stop valve insertion machine is available from Hydra Stop Inc.; and

WHEREAS, the Water Department's insertion valve machine is only compatible with other Hydra Stop parts; and

WHEREAS, Hydra Stop is the sole producer of this add-on unit; and

WHEREAS, budget line 002.8340.0491 (Valves, Meters, etc.) has sufficient funds for this

\$31,000.00 purchase; and

NOW, THEREFORE BE IT

RESOLVED, that the Common Council hereby authorizes the Water Superintendent to purchase a 12-inch insertion valve add-on unit from Hydra-Stop; and be it further

RESOLVED, that the cost for this purchase will not exceed \$31,000.00; and be it further

RESOLVED, that the City Manager, or his designee, is hereby authorized to 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 Deputy Mayor Riley and unanimously passed.

Resolution #J-10 - Sewer System Improvements Project – SEQR Part 2

Deputy Mayor Riley moved to adopt the following resolution:

RESOLUTION DECLARING THAT THE PROPOSED CITY OF PEEKSKILL SEWER SYSTEM IMPROVEMENTS PROJECT IS A TYPE 1 ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the City of Peekskill (City) is proposing the City of Peekskill Sewer System Improvements Project (Project), located in the City of Peekskill, Westchester County, New York; and

WHEREAS, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, the City of Peekskill Common Council sent a letter and Part 1 of a Full Environmental Assessment Form (FEAF) to other potentially “Interested Agencies” and “Involved Agencies” (as these terms are defined in the SEQRA Regulations found at 6 NYCRR Part 617.2),

indicating the City’s desire to serve as the “Lead Agency” (as this quoted term is defined in the SEQRA Regulations) and to complete a coordinated review of the Project (in accordance with 6 NYCRR Part 617.6); and

WHEREAS, responses from Interested and Involved Agencies were requested, and each of the potentially Interested and Involved Agencies has agreed to, or raised no objections to, the City of Peekskill Common Council serving as Lead Agency for the Project; and

WHEREAS, pursuant to the SEQRA Regulations, the City of Peekskill Common Council has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF, together with other available supporting information, to identify the relevant areas of environmental concern; and

NOW, THEREFORE BE IT

RESOLVED, that, the City of Peekskill Common Council hereby establishes itself as Lead Agency for the Project; and be it further

RESOLVED, that based upon an examination of the FEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the City’s knowledge of the area surrounding the Project, the City of Peekskill Common Council makes the determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement; and be it further

RESOLUTION DECLARING THAT THE PROPOSED CITY OF PEEKSKILL SEWER SYSTEM IMPROVEMENTS PROJECT IS A TYPE 1 ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA/SERP, the City of Peekskill Common Council, as Lead Agency, hereby directs the City of Peekskill Mayor or the City Manager or his designee to sign the FEAF Part 3 – Determination of Significance indicating that a Negative Declaration has been issued for the Project; and be it further

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-11 - MOU Environmental Leaders of Color

Councilman Fernandez moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH ENVIRONMENTAL LEADERS OF COLOR (ELOC) TO CONDUCT A 2023 SUMMER STUDENT ENERGY & ENVIRONMENTAL PROGRAM FOR TEENS AT THE YOUTH BUREAU

WHEREAS, the Environmental Leaders of Color (ELOC) Summer Student Energy & Environmental Program for Teens is an academic summer program that exposes young people from marginalized communities to the adverse impact of climate change and their roles in climate solutions; and

WHEREAS, twenty students are required for this program; and

WHEREAS, each session will be held at the Youth Bureau for a total of 90 minutes daily, with a total of 4.5 hours weekly for the time period July 5, 2023 through August 11, 2023; and

WHEREAS, the City of Peekskill Youth Bureau will be responsible for: recommending 20 students for the program; providing the list of students as well as signed parent consent forms to ELOC; providing the facility space, running water, wi-fi and a wide screen television; providing a list of

employees/volunteers who will work under the MOU; and ensuring all employees/volunteers have submitted a background check; and

WHEREAS, Environmental Leaders of Color are responsible for: providing all operational and staffing requirements for the program as well as the listing of all employees/volunteers who will work under this MOU; and ensuring all employees/volunteers have submitted a background check; and

WHEREAS, the terms of this Agreement will commence July 1, 2023 and terminate on June 30, 2024; and

WHEREAS, there is no cost to the City; and

WHEREAS, the Common Council of the City of Peekskill finds it in the best interest of the City to enter into this MOU with Environmental Leaders of Color.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager or his designee is hereby authorized to enter into a Memorandum of Understanding with Environmental Leaders of Color; and be it further

RESOLVED, that the term of this agreement shall expire upon the 30th day of June, 2024; and be it further;

RESOLVED, that this agreement shall be subject to the review of the Corporation Counsel; and be it further

RESOLVED, the City Manager or his designee is hereby authorized to take all steps necessary to effectuate the intent of this Resolution; and be it further

RESOLVED, that this Resolution take effect immediately.

It was seconded by Councilman Douglas and unanimously passed.

Resolution #J-12 - Westchester Arts Show

Councilman Douglas moved to adopt the following resolution:

**RESOLUTION OF THE COMMON COUNCIL
AUTHORIZING THE CITY OF PEEKSKILL TO CO-SPONSOR A FAMILY MUSIC EVENT
WITH ARTS WESTCHESTER IN COLLABORATION WITH ARTS 10566 AT THE
RIVERFRONT GREEN**

WHEREAS, Arts Westchester has a long history of providing quality arts programming in Westchester County; and

WHEREAS, Arts Westchester has been named by Westchester County government as the County’s designated arts council; and

WHEREAS, Arts Westchester is partnering with Arts10566 to provide a free family event to take place on June 21, 2023 in at the Peekskill Landing at the Riverfront Green in Peekskill, entitled “Performing Families” (the “Event”); and

WHEREAS, the Event will consist of 3 family groups from the Peekskill area as well as a moderated discussion about the meaning of family, as it connects to arts and culture, and a question and answer with the audience; and

WHEREAS, the Event will this event will provide a benefit to the community by bringing families together to celebrate and discuss the importance and cultural diversity of families in Peekskill to build cultural connections and embrace cultural diversity; and

WHEREAS, the Common Council desires to partner with Arts Westchester to co-sponsor the Event; and

WHEREAS, Arts Westchester has requested that the City waive facility fees associated with the rental of space at the Peekskill Landing for the event; and

WHEREAS, Arts Westchester will pay all costs for performers and advertisements for the Event; and

WHEREAS, the City desires to pay the costs for the sound company, Willis Digital Sound, for the event, which costs shall not exceed \$1,000.00 from the Celebrations Budget Line 7550.0400, of which there is sufficient funding; and

WHEREAS, Arts Westchester will include the City and its logo on all promotional materials regarding the Event as a sponsor; and

WHEREAS, after giving this matter due consideration, this Common Council finds that it is in the best interest of the City of Peekskill to co-sponsor this Event, to waive the facilities fees at the Riverfront, and to pay the costs of the sound company.

NOW THEREFORE, BE IT

RESOLVED, that the City of Peekskill is hereby authorized to co-sponsor the “Performing Families” event with Arts Westchester at the Riverfront Green on June 21, 2023; and be it further

RESOLVED, that the Superintendent of Recreation is hereby directed and authorized to waive the facilities fees and issue a permit to Arts Westchester for use of the Peekskill Landing Amphitheater on Wednesday, June 21, 2023; and be it further

RESOLVED, that the City will pay the costs for the sound required for the Event not to exceed \$1,000.00; and be it further

RESOLVED, that this Resolution take effect immediately and the Superintendent of Recreation be authorized to take all necessary steps to affect the intent of this Resolution.

It was seconded by Deputy Mayor Riley and unanimously passed.

Resolution #J-13 - DRI Wayfinding Signage Consultant

Councilman Scott moved to adopt the following resolution:

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT WITH ACSM, INC.
TO PROVIDE WAYFINDING SIGNAGE SERVICES**

WHEREAS, in 2019 the City of Peekskill was selected as the New York State Downtown Revitalization Initiative (DRI) award recipient for the Mid-Hudson Region; and

WHEREAS, as part of the DRI award, a grant of \$500,000 from the New York State Department of State (DOS) was allocated to implement both a Wayfinding Signage Project and a Marketing, Branding, Social Media Building consulting project; and

WHEREAS, the City of Peekskill issued a Request for Proposals (RFP) for the Wayfinding Signage consulting services and received six (6) responses to the RFP which City staff thoroughly reviewed for their experience, quality, completeness of the proposal, prior experience and proposed project budget; and

WHEREAS, staff recommends that ACSM, Inc. be hired for the Wayfinding Signage consulting work for a fee range of between \$163,275 and \$288,975 due to their full range of in-house capabilities, prior work experience and competitive pricing; and

WHEREAS, the final fee will be determined during the planning phase based on the number and type of signs selected by the City; and

WHEREAS, this fee will be reimbursed through the DRI Grant; and

WHEREAS, sufficient funds are available in the DRI Grant to also implement the Marketing, Branding and Social Media component of this grant.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager is hereby authorized to enter into an agreement with ACSM, Inc. for a total fee of between \$163,275 and \$288,975 depending on the number and type of signs selected by the City, to be determined during project implementation; and be it further

RESOLVED, that these funds will be paid from account number 007.8686.0401.0784 and reimbursed through the DRI Grant; and be it further

RESOLVED, that the Agreement with ACSM, Inc. shall be subject to the review and approval of the City Manager and Corporation Counsel; and be it further

RESOLVED, that the City Manager or their designee is hereby authorized to take all steps necessary to effectuate the intent of the resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

It was seconded by Deputy Mayor Riley and unanimously passed.

Resolution #J-14 - Accept grant for Fleischmann Pier alternates

Councilman Fassett moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE EXECUTION OF NYS GRANT CONTRACT #C1002298, AND COMMITTING MATCHING FUNDS TO CONSTRUCT IMPROVEMENTS TO CHARLES POINT PIER PARK

WHEREAS, improvements to Charles Point Pier Park that are associated with the reconstruction of Fleischmann Pier have been determined to be in the best interest of the City of Peekskill because of their value as unique waterfront destinations that will promote tourism in Peekskill; and

WHEREAS, the City was awarded a \$583,293.00 grant from the New York State Department of State (NYS DOS) to fund the construction of improvements in Charles Point Pier Park, which requires a City match of \$194,431.00; and

WHEREAS, by resolution dated May 8, 2023, sufficient funds for the required match were transferred into Capital Account #007-7197-0406-0668 to pay for construction of these improvements; and

WHEREAS, this Common Council finds it to be in the best interest of the City of Peekskill to enter into this contract and to commit matching funds for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager or his designee is hereby authorized to execute NYS grant contract #C1002298 to fund the construction of Charles Point Pier Park improvements associated with the reconstruction of Fleischmann Pier; and be it further

RESOLVED, that \$194,431.00 from Account #007-7197-0406-0668 is hereby committed as the required match for the NYS DOS grant; and be it further

RESOLVED, that the City Manager or his designee is hereby authorized to take all steps necessary to effectuate the intent of the Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Deputy Mayor Riley and unanimously passed.

Resolution #J-15 - Set public hearing for Abandoned Shopping Cart Ordinance

Deputy Mayor Riley moved to adopt the following resolution:

**RESOLUTION SCHEDULING A PUBLIC HEARING
ON LOCAL LAW № _____ OF 2023
ESTABLISHING CHAPTER 465 OF THE CODE OF
THE CITY OF PEEKSKILL ENTITLED “SHOPPING CARTS”**

WHEREAS, there is a problem within the City where shopping carts are removed from shopping establishments and abandoned on public property; and

WHEREAS, the City desires to address this problem by enacting a local law setting forth certain requirements for shopping establishments to ensure that shopping carts remain on their premises, and to impose penalties for abandoning shopping carts on public property; and

WHEREAS, a draft ordinance was presented to the Common Council and a public hearing was held on October 11, 2022; and

WHEREAS, following the public hearing, the Common Council desired to amend the draft local law; and

WHEREAS, City staff convened on the amendment and has presented the within draft local law to the Common Council for consideration; and

WHEREAS, the current draft local law contains provisions which provide owners of shopping establishments with ninety days from the date of the adoption of this local law to come into compliance with the requirements set forth therein.

NOW, THEREFORE, BE IT

BE IT RESOLVED, by the Common Council of the City of Peekskill that this Common Council will hold a public hearing at 7:30 P.M. or as soon as such hearing may be called thereafter, on the 22nd day of May 2023, via videoconferencing and in person at the City of Peekskill Council Chambers located at Peekskill City Hall, 840 Main Street, Peekskill, New York 10566, on a proposed Local Law entitled:

**LOCAL LAW № _____ OF 2023
ESTABLISHING CHAPTER 465 OF THE CODE OF
THE CITY OF PEEKSKILL ENTITLED “SHOPPING CARTS”**

and, be it further

RESOLVED, that the City Clerk give due notice of this public hearing in accordance with the City Code and the provisions of the Municipal Home Rule Law of the State of New York.

LOCAL LAW № _____ OF 2023
ESTABLISHING CHAPTER 465 OF THE CODE OF
THE CITY OF PEEKSKILL ENTITLED “SHOPPING CARTS”

BE IT ENACTED by the Common Council of the City of Peekskill as follows:

Section 1. Chapter 456 of the Code of The City of Peekskill to be entitled “Shopping Carts” is hereby adopted which shall read as follows:

Chapter 465. SHOPPING CARTS

ARTICLE I. IN GENERAL

§465-1. Definitions.

As used in this chapter the following terms shall mean as indicated below:

Owner

The merchant, purveyor of foods or other goods, establishment or corporation, who or which provides patrons or customers with shopping carts and, as a result thereof, has the responsibility under this chapter of placing the prescribed identification upon such carts.

Public Place

A street, sidewalk, avenue, road, alley, lane, highway, Broadway, concourse, driveway, culvert, crosswalk, every class of road, square, place, municipal parking lot and other places or spaces available to or used by the general public.

Shopping Cart

A hand drawn or propelled vehicle or wheeled container made of wire, metal, wood or other material, such as is generally provided by merchants for carting or carrying merchandise or food stuffs to automobiles or other places, hereinafter also referred to as a cart.

§465-2. Responsibility of owners

It shall be unlawful and a violation of this chapter for any owner to suffer or permit any person to take any shopping cart from the owner’s premises or parking area, except to convey the same to an adjoining private or public parking lot or a sidewalk area immediately in front of or contiguous to the owner’s premises. Within 90 days of the effective date of this chapter, the tenant or owner shall take means to prevent removal of shopping carts from the property such as, but not limited to, patrolling premises, installing wheel locks, utilizing a lock mechanism or coin deposit, or a perimeter locking device.

§465-3. Removal from premises of owner.

It shall be unlawful for any person to remove a shopping cart or suffer or permit such removal of a shopping cart from the property of any owner, except to convey the same to an adjoining private or public parking lot or a sidewalk area immediately in front of or contiguous to the owner's premises, and except that owners may move carts, in bulk, from one store to another store or to another location. All shopping carts removed from the owner's premises must be promptly returned to that property from any sidewalk, private parking lot, or public parking lot.

§465-4. Markings

Within 90 days of the effective date of this chapter, every owner shall make or cause the same to be marked and identified conspicuously with the name and address of the owner. Such identification shall be in the form of a metal tag securely fastened to the cart or a cutting or stamping on the frame of the cart, or as otherwise approved by the City of Peekskill.

§465-5. Notice.

Within 90 days of the effective date of this chapter, all owners shall display and maintain conspicuous signs in English and Spanish on the premises near all customer entrances and exits that notify customers that removal of shopping carts is prohibited by law and violators are subject to fines and/or imprisonment.

§465-6. Leaving on public property prohibited.

It shall be unlawful for any person to leave or suffer or permit to be left upon any public place any shopping cart.

§465-7. Exemption.

This chapter shall not apply to any shopping cart or personal property which may come into the possession or custody of any department of the City pursuant to this any other ordinance, law or regulation.

§465-8. Penalty.

Any person or entity who violates the provisions of this chapter shall, upon conviction thereof, be punished by a fine not exceeding one hundred and fifty dollars (\$150.00) or imprisonment for a term not exceeding five (5) days, or both fine and imprisonment for the first offense; and by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding fifteen (15) days, or both such fine and imprisonment for each subsequent offense.

ARTICLE II. REMOVAL FROM PUBLIC PROPERTY

§465-9. Removal by City Services

The Director of City Services or the Building Inspector (or his/her designee) shall remove, or cause to be removed, from time to time, any shopping cart found upon any public place, and shall take the same to City property where it shall be held until redeemed, sold or otherwise disposed of as provided in this chapter.

§465-10. Notice to owner and redemption by owner.

Whenever the City shall remove any shopping cart bearing identification of ownership, the Director of City Services or the Building Inspector (or his/her designee) shall mail a notice to the owner at the address shown on the identification tag, cut, stamp or other City approved marking. Such notice shall advise that such cart may be redeemed upon payment to the department of finance of the sum of fifty dollars (\$50.00) for each cart so redeemed and shall set forth the place for the redemption of such cart where possession of the same may be procured. Payment for redemption shall be made to the Department of Finance and a receipt shall be given therefor, which receipt shall entitle such owner to redeem, at the place of storage thereof, one or more carts, as provided for in said receipt, upon surrender of the same at the place of storage of such cart or carts. No cart shall be delivered to a person seeking to redeem the same unless proof is submitted establishing, to the satisfaction of the City, such person's ownership or right to possession. Any delivery to a person deemed entitled thereto by the City, from the proof submitted, shall be an absolute defense of the City against any other person claiming to be entitled thereto.

§465-11. Auction of unredeemed carts.

After the mailing of the notice provided for in Section 465-10 of this Code or after removal of a shopping cart bearing no identification of ownership, the City shall, from time to time, sell such carts at public auction. Notice of such public auction shall be given by publication in the official newspaper of the City by publication at least once, the first date of publication to be not less than ten (10) days prior to the date of public auction and shall set forth the time and place of holding such public auction and shall also advise that said carts will be sold at public auction. Any cart or carts may be redeemed by the owner thereof at least two (2) days prior to such public auction upon payment to the city of the sum of fifty dollars (\$50.00) for each cart. No cart shall be delivered to a person seeking to redeem the same unless proof is submitted establishing, to the satisfaction of the city, such person's ownership or right to possession. Any delivery to a person deemed entitled thereto by the city, from the proof submitted, shall be an absolute defense of the city against any other person claiming to be entitled thereto. Such sale at public auction shall be conducted by the Director of City Services, or such other person as he or she shall designate.

§465-12. Carts not sold at auction.

If a shopping cart is not sold at public auction, the City may similarly offer the same again for sale at public auction or may dismantle or destroy or otherwise dispose of such cart. Any disposition of such cart made pursuant to this chapter shall be without any liability on behalf of the City or to any person lawfully entitled thereto or having any interest therein.

§465-13. Use of funds.

Upon a redemption or sale of a shopping cart, the proceeds shall be deposited in the general funds of the city.

§465-14. Adoption.

This local law shall take effect on the date on which this local law is filed with the Secretary of State.

Section 2. This local law shall take effect on the date on which this local law is filed with the Secretary of State.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-16 - Non-Binding Letter of Interest – Community Solar

Councilman Fernandez moved to adopt the following resolution:

RESOLUTION TO AUTHORIZE CITY MANAGER OR DESIGNATED REPRESENTATIVE TO SIGN A LETTER OF INTENT BETWEEN ECOLOGICAL CITIZEN’S PROJECT AND THE CITY OF PEEKSKILL FOR A COMMUNITY FOCUSED SOLAR PROJECT

WHEREAS, the City of Peekskill City Manager has been meeting with the Ecological Citizen’s Project (ECP) to discuss a community focused solar project which would pay the City a

payment for leasing space on City-owned rooftops and/or other City-owned property to install solar arrays which would be owned and operated by a separate entity; and

WHEREAS, the solar project provide electricity bill savings for low and moderate income Peekskill residents, fund local food system efforts, and provide community directed projects and local jobs; and

WHEREAS, ECP has requested a letter of interest from the City to use in their discussions with Con Edison Utility to determine what the value of solar power located at various city owned properties would be; and

WHEREAS, the letter of interest would not obligate the City to any funding requirement, or other requirements and could be cancelled at any time by the City Manager; and

WHEREAS, ECU would use the information provided by their own research and analysis to formulate a proposal for the City; and

WHEREAS, the City of Peekskill City Manager and City staff would then perform an analysis of the proposal to determine if further discussion with the Council might be warranted to consider signing an agreement to initiate a community focused solar project with ECP; and

WHEREAS, the Common Council finds it in the best interest of the City to authorize the City Manager to sign the non-binding letter of interest to explore this community focused solar project.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager or their designee is hereby authorized to sign a letter of interest between the Ecological Citizen's Project and the City of Peekskill, for purposes of analyzing a community focused solar project; and be it further

RESOLVED, that letter of interest shall be subject to the review of the Corporation Counsel; and be it further

RESOLVED, that the City shall take all necessary steps 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.

CITIZENS DESIRING TO BE HEARD

Mrs. Goodwin, 308 Ringgold Street, expressed gratitude for the environmental issues happening in Peekskill, gave praise to the DPW for work with the compose, thank you to elected officials who attended the rally to save the river and green lawn participation by residents.

Mary Beth Sullivan, White Plains - see attached – voter registration/rolls.

ADJOURNMENT

Deputy Mayor Riley made a motion to adjourn the meeting and go into Executive Session, seconded by Councilman Fassett, which carried unanimously. Meeting adjourned at 8:35pm.

Respectfully submitted,

Cassandra Redd, MPA
City Clerk

Redd, Cassandra

From: dthenry <dthenry@optonline.net>
Sent: Monday, May 8, 2023 6:56 AM
To: Redd, Cassandra
Subject: 05/08/2023 Common Council Meeting

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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning.

I would like to submit the following to be included in the record of tonight's meeting under "Communications".

Thank you

----- Forwarded Message -----

Subject:Re: 05/01/2023 COW Meeting

Date:Sat, 6 May 2023 13:14:16 +0000

From:Alexander, Matthew <malexander@cityofpeekskill.com>

To:dthenry <dthenry@optonline.net>

CC:McKenzie,Vivian <VMckenzie@cityofpeekskill.com>, Riley, Patricia <priley@cityofpeekskill.com>, Talbot,Kathie <KTalbot@cityofpeekskill.com>, Fernandez, Ramon <rfernandez@cityofpeekskill.com>, Douglas, Dwight <ddouglas@cityofpeekskill.com>, Scott, Rob <RScott@cityofpeekskill.com>, Fassett, Brian <BFassett@cityofpeekskill.com>

yes it's my opinion that the planning commission has no approval authority over the marketing consultant. nor does the planning department have any approval authority over the planning commission.

Sent from my iPhone

On May 5, 2023, at 6:21 PM, dthenry <dthenry@optonline.net> wrote:

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If I understand your reply correctly, there is no problem with a Planning Commission member receiving City/State compensation via the DRI and directed by the Planning Department.

It was my understanding that the Ethic Code applied to Planning Commission members -- quoting that source

<n1ESJNXDhbC4g1cO.png>
<MGWxFEWLxfb5q5vf.png>

Thank you for your opinion.

On 5/5/2023 4:58 PM, Alexander, Matthew wrote:
Ms. Henry,

It has been a challenge to answer the number of emails and questions that I get. I do try but never completely finish my list. I have been setting up better systems to get more things done and it appears to be working so I will try to work through the list of questions that I have from you.

Regarding Moon Cookie, it does not appear that there is a conflict in decision making between a planning commissioner and a consultant. The organization "Moon Cookie" is a collaboration of people with different professional credentials and they do have considerable experience and accomplishments in their respective fields.

Matthew C. Alexander
City Manager
840 Main Street
Peekskill, NY 10566
Office: (914) 734-4246
malexander@CityofPeekskill.com<<mailto:RMorin@CityofPeekskill.com>>

<image001.png>

From: dthenry <dthenry@optonline.net><<mailto:dthenry@optonline.net>>
Sent: Wednesday, May 3, 2023 7:16 AM
To: McKenzie, Vivian <VMckenzie@cityofpeekskill.com><<mailto:VMckenzie@cityofpeekskill.com>>; Alexander, Matthew <malexander@cityofpeekskill.com><<mailto:malexander@cityofpeekskill.com>>
Cc: Riley, Patricia <priley@cityofpeekskill.com><<mailto:priley@cityofpeekskill.com>>; Talbot, Kathie <KTalbot@cityofpeekskill.com><<mailto:KTalbot@cityofpeekskill.com>>; Fernandez, Ramon <rfernandez@cityofpeekskill.com><<mailto:rfernandez@cityofpeekskill.com>>; Douglas, Dwight <ddouglas@cityofpeekskill.com><<mailto:ddouglas@cityofpeekskill.com>>; Scott, Rob <RScott@cityofpeekskill.com><<mailto:RScott@cityofpeekskill.com>>; Fassett, Brian <BFassett@cityofpeekskill.com><<mailto:BFassett@cityofpeekskill.com>>
Subject: 05/01/2023 COW Meeting

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CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I was surprised that the following was not surfaced. Regarding J-9, it appears to me that there is a conflict of interest as Ms. Palmer-Cousins is a member of the Planning Commission as well as a Moon Cookie Group consultant (who will be receiving \$186,000 for 12 months).

It would be appreciated if you could clarify this.

In addition, Mr. Rudikoff did not fully answer the Council's question as to whether Moon Cookie had a portfolio of their work. A quick google search indicates this company has been in existence for a short 3 months. It is not a stretch of one's imagination to link up this company's formation in anticipation of receiving this contract, as well as having ZERO history. Something does not smell right.

References are provided below.

I have copied the Council members in the hope that they may have the same questions or know the answers.

Thank you and I look forward to your reply.

P.S. Now that emails will no longer be read at Council meetings, I will still submit the above for the Council Meeting minutes.

As I am physically unable to attend the meeting, this is my only mode of communication.

<image002.png>

[No description available.]

CITY
From Joe
Brady.

Good evening!

I am here to speak on behalf of the Peekskill St Patrick's Parade Committee regarding the proposed special events law.

We started in 1989 & had our first parade in 1990, proudly marching through the streets of Peekskill with countless civic organizations and to the delight of thousands of Peekskill citizens and spectators from surrounding counties. And watching not only live but on TV as well. We have, with help from private donors, conducted this parade every year since, with the exception of a 2 year hiatus due to the pandemic.

You, the city of Peekskill, have supported our efforts from the beginning and we are grateful.

Without Peekskill's sponsorship and the hard, year long fundraising we do, this parade would not happen.

In planning for next year's parade we have asked for an estimate of our costs to the city. Several emails have gone unanswered. I know you folks have an idea what a budget is-----do you not respect the fact that we, too, need to budget and plan for our parade?

Aside from that, what

~~However,~~ as is being proposed tonight, that support is being seriously threatened. The city is telling us we need to pay not just regular time but overtime for police & DPW to work the parade.

While we have made some payments to the city before, we must let you know that increasing those payments as being proposed will seriously undermine our ability to put on a parade and the city stands to lose a storied tradition-----one that unites generations ~~and~~^{of} all ethnic groups.

With the influx of new citizens, we would think the city would want to encourage parades & festivals that provide cultural entertainment AND provide income to the city through tax revenues.

Our committee has always welcomed and embraced the City's partnership from day one and to lose that support in this our 35th year would be devastating. Perhaps "grandfathering" our parade with the two other oldest city parades, July 4 firefighters & Juneteenth, would be a viable option.

We all know the availability of funding has shrunk while parade costs have spiked since the pandemic.

The reality of this law, if it passes, is the feasibility of putting on a parade or any event in the downtown area will be severely impacted by your fees which will be mandated and could conceivably increase every year as contractual wages increase for city employe. And your mandate that authorizations from the State and the County, if the event involves their roadways, may add even more of a financial burden to organizations, especially all volunteer groups, that will simply make it financially unreasonable to put on an event in the City of Peekskill.

The St Patrick's Committee would like to suggest that this vote be set aside until such time that the full financial impact to the organizations who year after year provide cultural events for Peekskill and its citizens is discussed with those groups and an agreeable solution can be reached.

- please find a way to help this parade
continue.

- 51,150 without address; of which 27,496 voted
- Purged with no Purge Date, 1.48m records
 - 30,000 votes with Purged with no Purge Date
- 27,639 registered after the election cutoff date, but voted
- 70,000 Registration Dates contradict Voter History
- 1.1m cloned registrations; 696,122 votes; unknown which record is genuine
- 1.9m records on State Roll not found across 7 counties
- 1,106,646 registered on a Federal Holiday
 - 90% of above registered on 01/01
 - 365,737 of above voted in 2020
 - 10% of all registrations in Manhattan registered on 01/01
 - minimum 1,740 in Westchester registered on 01/01
- 50,000 records exist under both maiden and married names
- 195,271 votes recorded in NYC, not found in State Roll
- 338,356 more votes than physical voters in State

Mary Beth
5.8.23

Marybeth Sullivan <marybeth.sullivan@yahoo.com>; 347 624 8787