

A public meeting of the Common Council was held in the Community Room of the Neighborhood Center, 4 Nelson Avenue, Peekskill, New York and virtually via ZOOM on August 21, 2023 at 10:02 am, with Mayor Vivian McKenzie presiding, following the Pledge of Allegiance to the Flag.

Moment of Silence for Gerry Desmond.

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.

Department Heads – Building Inspector Nicholas Cecere, Human Resource Manager Joanna Duncan, Director of Public Works Christopher Gross, Director of Section 8 Jessica Ganus, Director of Planning Jean Friedman, Superintendent of Water and Sewer David Rambo, Comptroller Toni Tracy and Nutrition Site Manager Johnathan Zamora.

PUBLIC COMMENTS ON AGENDA ITEMS

Leesther Brown – Questioned if the C-3 Zone Amendment was spot zoning.

Response from Corporation – after legal analysis, this is not spot zoning.

Water Street parking lot murals have no connection to Peekskill.

Response by Mayor McKenzie- this is a commission to put together a committee to look at that project as well as further public art; to establish a process and procedure.

Puglsey Park was given to the City to be used for passive and perpetuity.

Response by Mayor- it is being used for passive things.

Response from Corporation Counsel – the park is being used for passive - recreation. The use is in accordance with the intent.

Elaina Walker – Mallard Way – Arts Commission and appointments – questioned if it will be posted publicly.

Response by City Manager Matt- proposing to put together a commission to bring back to the Council. Will you be accepting appointment from outside?

CM stated yes. She would like to be considered.

Bill Schunk- in support of C-3 Zone Amendment

Jeff Lewis- North Division Street- in support of C-3 Zone Amendment

Corporation Counsel – There will be a Public Hearing on the C-3 Zone Amendment.

DT Henry – see attached.

COMMUNICATIONS

Albert Nau- S. Division Traffic Study -7.17.23 – see attached

Albert Nau – S. Division Traffic Study for Plaza – 7.27.23 – see attached
Kathleen Belluzzi- see attached

DEPARTMENT HEAD AND CITY MANAGER REPORTS

City Manager Matt Alexander reported on the following areas:

- * PD increased work with Building Department and NYS Liquor Authority
- * Arrest report 2% increase for alcohol, littering, and sleeping in public
- * Walkability – speed enforcement in different areas of the City
- * Code enforcement – property and safety issues ex. overcrowding
- * Hiring Fire inspector trainee – continue to work on this.
- * DPW continues on traffic light repairs- over 160 repaired thus far in the year.

NEW BUSINESS

PUBLIC HEARING

C-3 Zone Amendments

Statement by City Official – Jean Friedman – see attached.

Mayor McKenzie stated the purpose of the Public Hearing was to hear public comments on the proposed ZONING TEXT AMENDMENTS TO SECTIONS 575-31C, 575-34B(1) AND 575-34B(2) OF THE CITY CODE TO ALLOW MIXED-USE BUILDINGS WITH POSSIBLE BONUS HEIGHT ON NORTH DIVISION STREET IN THE C-3 ZONING DISTRICT SUBJECT TO ISSUANCE OF A COMMON COUNCIL SPECIAL PERMIT.

Mayor McKenzie declared the meeting opened at 10:30am

The Clerk read the Notice of Public Hearing and advised the Legal Notice was published in the Journal News on August 14, 2023.

Roll Call – not taken. No members had left.

Public Hearing Comments

Leesther Brown – those who may be affected the most by this public hearing are working.

Response by Mayor McKenzie- there multiple opportunities/ways to be a part of the hearing; mail, email or call.

Councilman Fernandez had to step put due to an emergency at 10:32am

John Sharpe- Peekskill – 200 plus employees; in favor C-3 Zone Amendments - needs development and increase number of apartments.

James Ferraro – applicant for C-3 Zone Text Amendment time to move or project will not happen. This is a substantial investment.

Response by Mayor McKenzie- there is a lot of development in the City.

7 public comments received for public hearing – See attached.

Motion to close public hearing was made by Deputy Mayor Riley and seconded by Councilman Fassett. Motion passed.

LOCAL LAW

Statement read by Corporation Counsel Tim Kramer-

Abandoned Shopping Carts Ordinance

Councilman Fassett moved to adopt the following resolution:

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

WHEREAS, the City has experienced problems 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 presented an amended draft local law to the Common Council for consideration, which included amendments to Section 465-8 relating to penalties, on June 26, 2023, which also contained provisions that 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; and

WHEREAS, on July 17, 2023, a public hearing was held on said local law both via videoconferencing and in person in the Common Council Chambers at 840 Main Street, Peekskill, New York after due publication and notice of said public hearing; and

WHEREAS, the said local law has been on the desks of the members of the Common Council in its final form for at least seven days, exclusive of Sundays.

NOW, THEREFORE, BE IT

BE IT RESOLVED, that said local law be, and the same is hereby adopted and shall be known as Local Law No. _____ for the year 2023 in the City of Peekskill.

**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 the chapter shall, upon conviction thereof, be punished by a fine of not less than \$150.00 and not more than \$250.00 for a first offense. A second offense against the provisions of this chapter (committed within a three-year period, looking back from the date of the violation, regardless of the fines imposed on the prior violation) shall be punishable by a fine of not less than \$250.00 and not more than \$500.00. A third offense against the provisions of this chapter (committed within a three-year period, looking back from the date of the violation, regardless of the fines imposed on prior violations) shall be punishable by a fine of not less than \$500.00 and not more than \$1,000.00. All subsequent offenses against the provisions of this chapter committed within a three-year period, looking back from the date of the violation, regardless of the fines imposed on the prior violations, shall be punishable by a fine of \$1,000.00 or by imprisonment for a term not to exceed 15 days, or both.

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 Scott and unanimously passed.

Resolution #J-1 - Professional Service Agreement Payroll Software

Deputy Mayor Riley moved to adopt the following resolution:

**RESOLUTION OF THE COMMON COUNCIL
AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL
SERVICES AGREEMENT WITH PAYCOM PAYROLL, LLC TO CENTRALIZE
HUMAN RESOURCES/PAYROLL OPERATIONS**

WHEREAS, to better fulfill the City’s responsibility for compliance, accountability, and transparency in budget management and various administrative tasks, including but not limited to time and attendance tracking, payroll, employee scheduling, benefits administration, performance management, and employee training/development, the City’s Human Resources and Payroll Operations need to be centralized; and

WHEREAS, Paycom Payroll, LLC can automate the City’s Human Resources and Payroll Operations for the final quarter of 2023 at a cost of \$17,338.22, which includes a one-time implementation fee of \$6,800.00; and

WHEREAS, the Comptroller has identified Budget Line 001.1900.1990 as the source of funding for payment of these professional services; and

WHEREAS, the above contingency funds in Line 001.1900.1990 will be transferred to the Human Resources Contract expense line, 001.1430.0475; and

WHEREAS, these services constitute a professional service pursuant to Section 106-6 of the City Code; and

WHEREAS, the Common Council finds it in the best interest of the City of Peekskill to enter into this agreement with Paycom Payroll, LLC.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Peekskill hereby authorizes the City Manager to enter into a professional services agreement with Paycom Payroll, LLC to centralize

Human Resources and Payroll Operations at a cost not to exceed \$17,338.22 for the final quarter of 2023; and be it further

RESOLVED, that this professional service agreement shall be subject to the review and approval of the City Manager and Corporation Counsel; and be it further

RESOLVED, that this Resolution takes effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-2 - Street Closure request for Dain's Lumber Block Party

Councilwomn Talbot moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE STREET CLOSURE OF NORTH WATER STREET AT THE INTERSECTIONS OF MAIN STREET/OLD PEMART AVENUE AND CENTRAL AVENUE/SOUTH WATER STREET

WHEREAS, Dain's Lumber has submitted a request to hold a street festival which includes live

music, food and drink vendors, and a bounce house at 2 North Water Street to celebrate 175 years in

business on Saturday, August 26, 2023; and

WHEREAS, Dain's Lumber is requesting the street closure of North Street at the intersections of Main Street/Old Pemart Avenue and Central Avenue/South Water Street on Saturday, August 26, 2023 from 12:00pm to 6:00pm; and

WHEREAS, the City Clerk has reviewed the application and has deemed the application complete; and

WHEREAS, issuance of the Block Party Permit is contingent upon the applicant/sponsor complying with the notice requirements to residents on the block pursuant to Section 486.5 of the Peekskill City Code.

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police is authorized to close North Street at the intersections of Main Street/Old Pemart Avenue and Central Avenue/South Water Street on Saturday, August 26, 2023 from 12:00 p.m. to 6:00 p.m. after issuance of the Block Party Permit.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-3 - Street Closure request for Virgen del Cisne

Councilman Scott moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE STREET CLOSURE OF MAIN STREET AT THE INTERSECTION OF NELSON AVENUE, THE INTERSECTION OF CENTRAL AVENUE AND NELSON AVENUE AND THE INTERSECTION OF SOUTH STREET AND UNION AVENUE

WHEREAS, Virgen del Cisne has submitted a request to hold a religious process in honor of

Virgen del Cisne on Saturday, September 9, 2023; and

WHEREAS, Virgen del Cisne is requesting the street closure of Main Street at the intersection of Nelson Avenue, the intersection of Central Avenue and Nelson Avenue and the intersection of South Street and Union Avenue on Saturday, September 9, 2023 from 5:30pm to 6:30pm; and

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police is authorized to close Main Street at the intersection of Nelson Avenue, the intersection of Central Avenue and Nelson Avenue and the intersection of South Street and Union Avenue on Saturday, September 9, 2023 from 5:30 to 6:30pm.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-4 - Street Closure for Lincoln Terrace event

Councilman Douglas moved to adopt the following resolution:

**RESOLUTION AUTHORIZING THE STREET CLOSURE OF LINCOLN TERRACE
AT THE INTERSECTIONS OF GRANT AVENUE AND LEILA STREET**

WHEREAS, John McCrae has submitted a request to hold a block party which includes music,

dancing and food on Lincoln Terrace on Saturday, September 9, 2023; and

WHEREAS, John McCrae is requesting the street closure of Lincoln Terrace at the intersections of Grant Avenue and Leila Street on Saturday, September 9, 2023 from 8:00am to 10:00 pm.; and

WHEREAS, the City Clerk has reviewed the application and has deemed the application complete; and

WHEREAS, issuance of the Block Party Permit is contingent upon the applicant/sponsor complying with the notice requirements to residents on the block pursuant to Section 486.5 of the Peekskill City Code.

NOW, THEREFORE, BE IT RESOLVED, that the Chief of Police is authorized to close Lincoln Terrace at the intersections of Grant Avenue and Leila Street on Saturday, September 9, 2023 from 8:00 a.m. to 10:00 p.m. after issuance of the Block Party Permit. It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-5 - Reappoint Mary Ellen O'Brien to HLPB

Councilman Scott moved to adopt the following resolution:

**RESOLUTION REAPPOINTING MARY ELLEN O'BRIEN TO THE HISTORIC AND
LANDMARKS PRESERVATION BOARD**

WHEREAS, a vacancy exists on the Historic and Landmarks Preservation Board; 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 Historic and Landmarks Preservation Board.

<u>Historic and Landmarks Preservation Board</u>	<u>Term Commences</u>	<u>Term Expires</u>
Mary Ellen O'Brien Peekskill, New York 10566	8/21/23	8/21/26

It was seconded by Deputy Mayor Riley and unanimously passed.

Resolution #J-6 - Reappoint Billy Gaddam to ZBA

Deputy Mayor Riley moved to adopt the following resolution:

**RESOLUTION REAPPOINTING BILLY GADDAM TO THE
ZONING BOARD OF APPEALS**

WHEREAS, a vacancy exists on the Zoning Board of Appeals; 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 Zoning Board of Appeals.

<u>Zoning Board of Appeals</u>	<u>Term Commences</u>	<u>Term Expires</u>
Billy Gaddam Peekskill, New York 10566	8/21/23	8/21/26

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-7 - Grant Award for 2023 Summer Youth Employment Program

Councilwoman Talbot moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE WESTCHESTER COUNTY YOUTH BUREAU TO ACCEPT A GRANT AWARD ON BEHALF OF THE CITY OF PEEKSKILL FOR THE IMPLEMENTATION AND OPERATION OF THE 2023 SUMMER YOUTH EMPLOYMENT TRAINING PROGRAM FOR YOUTH AGED 16-24

WHEREAS, the Westchester County Youth Bureau has committed to support local Youth Bureaus through the 2023 Summer Youth Employment Training Program; and

WHEREAS, although the final award letter from the County's funding source has yet to be received, the Westchester County Youth Bureau intends to award the City of Peekskill Youth Bureau a grant award in the amount of Sixteen Thousand One Hundred and Forty-Seven Dollars (\$16,147) to implement and operate the Summer Youth Employment Program; and

WHEREAS, the Summer Youth Employment Training Program provides youth between the ages of 16 to 24 with six weeks of comprehensive training and work experience; and

WHEREAS, these activities promote initial introductions to the workplace and help youth to acquire and enhance transferable, employability skills; and

WHEREAS, program participants receive an hourly wage of \$15.00.

WHEREAS, the grant funding for these services requires no matching funds from the City of Peekskill; and

WHEREAS, funds received for this contract will be assigned to revenue line 001.0001.4793; and

WHEREAS, the contract period is from July 1, 2023 through September 30, 2023.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager is hereby authorized to enter into an Agreement with the Westchester County Youth Bureau to accept grant funding on behalf of the City of Peekskill Youth Bureau for the operation of the 2023 Summer Youth Employment Training Program for youth aged 16-24; and be it further

RESOLVED, funds received for this contract will be assigned to revenue line 001.0001.4793; and be it further

RESOLVED, that the term of this Agreement shall expire upon the 1st day of October, 2023; and be it further

RESOLVED, that the Agreement shall be subject to the review and approval of the City Manager and 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 Deputy Mayor Riley and unanimously passed.

Resolution #J-8 - Refer special permit and set public hearing for daycare at 312 Washington Street

Councilman Fassett moved to adopt the following resolution:

RESOLUTION REFERRING A SPECIAL PERMIT APPLICATION FOR A CHILDCARE FACILITY AT 312 WASHINGTON STREET TO THE PLANNING COMMISSION FOR A RECOMMENDATION AND SETTING A PUBLIC HEARING DATE

WHEREAS, a Special Permit application has been submitted by Honeybeez Childcare Center Corp. for the renovation of a building at 312 Washington Street as a childcare facility; and

WHEREAS, the childcare facility is proposed to be located in the C-3 zoning district and therefore requires a Common Council Special Permit to operate at this location; and

WHEREAS, pursuant to Section 575-34B(1)(b) of the City Code, this Special Permit application may be referred to the Planning Commission for its review and recommendation; and

WHEREAS, pursuant to Section 575-57 of the City Code, a public hearing is required to be held on this Special Permit application.

NOW, THEREFORE, BE IT

RESOLVED, that the special permit application is hereby referred to the Planning Commission for its review and recommendation prior to a public hearing; and be it further

RESOLVED, that a Public Hearing is scheduled at 7:30 P.M. or as soon as such hearing may be called thereafter, on the 25th day of September, 2023 in the Common Council Chambers at City Hall, 840 Main Street, Peekskill, New York to consider the proposed Special Permit application to permit the operation of a childcare facility at 312 Washington Street in the C-3 Zoning District; and be it further

RESOLVED, that all interested parties are invited to be present and provide comment at such hearing.

It was seconded by Councilman Scott and unanimously carried.

Resolution #J-9 - Fleischmann Pier change order

Councilman Douglas moved to adopt the following resolution:

**AUTHORIZATION TO EXECUTE A CONTRACT CHANGE ORDER
WITH CUSTOM MARINE, INC. FOR ADDITIONAL IMPROVEMENTS TO
CHARLES POINT PIER PARK**

WHEREAS, the City received numerous grants from New York State to construct improvements to Charles Point Pier Park and Fleischmann Pier, and issued Bid No. 2022-006 to make these improvements; and

WHEREAS, on April 7, 2022 two bids were received, publicly opened and read aloud; and

WHEREAS, Custom Marine, Inc. submitted the lowest responsible bid for the base bid and all alternates, and on April 25, 2022 by Resolution J-16 the City awarded the base bid (Pier Reconstruction, Floating Docks, Kayak Dock, Pier Lighting, Educational Signage, Water Service) and alternates A (ADA Pathway), C (Benches and Viewing Devices), D (Expansion of Parking Lot), and J (Restroom Building) to Custom Marine, Inc; and

WHEREAS, the City was awarded an additional grant from New York State to fund the remaining alternates B (Decking Inlay), E (Concession Area), F (Outdoor Activity Space), G (Shade Structure), H (Bus Drop Off Area) and I (Pier Stairs); and

WHEREAS, on June 12, 2023 by Resolution J-11 the Common Council authorized a change order with Custom Marine to construct these remaining alternates; and

WHEREAS, an additional change order to Custom Marine's contract is needed to fund the installation of a pergola at a cost of \$84,950 and ADA-accessible paved path at a cost of \$5,063.77 to enhance the previously authorized Outdoor Activity Space, and to supplement the previously approved water service with an additional hydrant and valve at a cost of \$57,299.04.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager or designee is hereby authorized to execute a change order to Custom Marine's contract in an amount not to exceed \$147,312.81 to install a pergola, path, and enhanced water service; and be it further

RESOLVED, that funds for this change order are available from the previously authorized NYS grants and City matching funds in Capital account #007-7197-0406-0668; and be it further

RESOLVED, that this resolution shall take effect immediately.

It was seconded by Councilman Fassett and unanimously carried.

Resolution #J-10 - Accept bid for Pugsley & Monument Park Construction

Councilman Scott moved to adopt the following resolution:

RESOLUTION AWARING BID NO. 2023-002 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MCCAREY'S LANDSCAPING, INC. FOR IMPROVEMENTS TO PUGSLEY PARK AND TO ALLOCATE AND TRANSFER CITY FUNDS

WHEREAS, the City entered into a contract for funding with the New York State Department of State (“DOS”) in an amount of \$573,248 to design and construct improvements to Pugsley Park and Monument Park; and

WHEREAS, the City prepared construction documents and requested bids under Bid No. 2023-002 for these improvements, and two (2) bids were received on June 9, 2023 and were opened and read aloud; and

WHEREAS, McCarey’s Landscaping, Inc. from Middletown, NY submitted the lowest responsible bid in the amount of \$949,833 to construct the base bid, which includes improvements to Pugsley Park (the “Project”); and

WHEREAS, the City also anticipates improvements to Monument Park to commence in the spring of 2024; and

WHEREAS, New York State Department of State (“DOS”) made a written commitment in an amount of \$380,000 to provide additional construction funding for the Project; and

WHEREAS, after allocating design costs, \$877,248 in DOS funding is available for Project construction; and

WHEREAS, funds in the amount of \$72,585 are available from Peekskill’s Capital Account #007.0007.5031 to supplement the DOS funding in order to award the base bid and to construct the Project; and

NOW, THEREFORE, BE IT

RESOLVED, that Bid No. 2023-002 is hereby awarded to McCarey's Landscaping, Inc. for a total price of \$949,833 to construct the Project; and be it further

RESOLVED, that the City Manager or his designee is hereby authorized to enter into a contract with McCarey's Landscaping, Inc., 80 Tower Drive, Middletown, NY 10941 for improvements to Pugsley Park at a price not to exceed \$949,833; and be it further

RESOLVED, that DOS funds in the amount of \$877,248 are authorized for this purpose; and be it further

RESOLVED, that City matching funds in the amount of \$72,585 are authorized for Project construction, to be transferred from account #007.0007.5031 to the project account #007.8686.0406.0780; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Deputy Mayor Riley and unanimously carried.

Resolution #J-11 - CREST Funding Grant Application

Councilman Fassett moved to adopt the following resolution:

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PEEKSKILL
AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SUBMIT A
GRANT APPLICATION THROUGH THE CREST PROGRAM FOR HEAT
PUMPS AND ELECTRIC CHARGING STATIONS FOR THE POLICE
DEPARTMENT**

WHEREAS, Senator Pete Harekham has released a letter for the availability of \$100,000.00, through the CREST Program, which provides funding to municipalities for the development and implementation of heat pumps & electric charging stations; and

WHEREAS, the City of Peekskill Police Department building and other locations are in need of both; and

WHEREAS, over \$600,000.00 in project costs have been identified for heat pumps and electric charging stations at the Police Department; and

WHEREAS, the City of Peekskill Department of Public Works is requesting authorization to complete the CREST grant application for a combination of the needed projects at the Police Department and any other locations necessary; and

WHEREAS, the grant does not require a local match.

NOW THEREFORE, BE IT

RESOLVED, that the City of Peekskill Department of Public Works is hereby authorized to submit the grant application for a combination of the needed projects at the Police Department; and be it further

RESOLVED, that a successful grant award for the heat pumps & electric charging stations would be at no cost to the City; and be it further

RESOLVED, that the Common Council hereby authorizes the City Manager or his designee to take any and 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 Deputy Mayor Riley and unanimously carried.

Resolution #J-12 – Appoint Volunteer Firefighter Ganesh Mohan

Deputy Mayor Riley moved to adopt the following resolution:

APPOINTMENT OF VOLUNTEER FIREFIGHTER

WHEREAS, the City of Peekskill Fire Department seeks qualified candidates to be appointed as volunteer firefighters for the City of Peekskill; and

WHEREAS, Ganesh Mohan has expressed interest in being appointed as a volunteer firefighter in the City of Peekskill; and

WHEREAS, this candidate is at least 18 years old; and

WHEREAS, this candidate is not an active career firefighter in the City of Peekskill; and

WHEREAS, the city has received confirmation from the Fire Department surgeon, or his designee, that the candidate is deemed physically fit to perform the normal duties of a volunteer firefighter; and

WHEREAS, the candidate’s application has been authorized by the New York State Division of Homeland Security and Emergency Services Office of Fire Prevention and Control; and

WHEREAS, the Fire Chief of the City of Peekskill Fire Department approves his application for consideration by the Common Council of the City of Peekskill.

NOW, THEREFORE, BE IT

RESOLVED, that the following named individual is hereby appointed to the active volunteer list of the Peekskill Fire Department:

		<u>Classification</u>
Ganesh Mohan	Peekskill, NY 10566	TBD

; and be it further

RESOLVED, that this candidate shall be required to meet all requirements of membership of the City of Peekskill Fire Department.

It was seconded by Councilman Fassett and unanimously carried.

Resolution #J-13 - LEAP After School Program

Councilwoman Talbot moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE PEEKSKILL CITY SCHOOL DISTRICT TO HAVE THE POLICE DEPARTMENT ADMINISTER THE YOUTH LEAP 21ST CENTURY COMMUNITY LEARNING CENTERS PROGRAM FROM OCTOBER 1, 2023 THROUGH MAY 30, 2024

WHEREAS, The City of Peekskill (the “City”) and the Peekskill City School District (“School District”) desire to enter into an agreement for use of certain facilities and services; and

WHEREAS, the City and the School district acknowledge that pursuant to General Municipal Law (“GML”) §119-n and Educational Law (“EL”) §414 the parties possess the authority to enter into a cooperation agreement; and

WHEREAS, it is the desire of the City and the School District to enter into an agreement to have the Peekskill Police Department administer the Youth LEAP 21st Century Community Learning Centers Program from October 1st 2023 through May 30th 2024, as well as for use of certain facilities and services; and

WHEREAS, the Police Department will provide a Police Officer three days a week for three sessions primarily from 4:00pm until 6:00pm and supply basic teaching materials needed for each class; and

WHEREAS, the School District shall pay the Police Department an amount not to exceed \$24,529.36 and will be funded by LEAP, and payment will be made upon receipt of expenses and services rendered by the Police Department; and

WHEREAS, such funds shall be deposited into 001.0001.2779

WHEREAS, the term of said agreement shall commence on October 1st 2023 and shall terminate on May 30th 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager or his designee is hereby authorized to enter into a contract with the Peekskill City School District for the period from October 1st 2023 through May30th 2024, to have the Peekskill Police Department

administer the Youth LEAP 21st Century Community Learning Centers Program as well as for use of certain facilities and services; and be it further

RESOLVED, that the contract shall be substantially similar to the attached, subject to the review and approval of the Acting City manager and Corporation Counsel; and be it further

RESOLVED, that this Resolution takes effect immediately.

It was seconded by Councilman Fassett and unanimously carried.

Resolution #J-14 - PowerMarket Utility Bill Credit

Deputy Mayor Riley moved to adopt the following resolution:

**RESOLUTION TO ACCEPT UTILITY BILL CREDITS OFFERED BY
POWERMARKET TO THE CITY OF PEEKSKILL**

WHEREAS, Project Economics, d/b/a PowerMarket, is a New York partner organization of Sustainable Westchester for community solar-related initiatives; and

WHEREAS, PowerMarket has accumulated a surplus of electricity credits from its community distributed generation (CDG) projects which have become available due to a surplus of solar generation from its CDG facilities; and

WHEREAS, PowerMarket has offered to apply surplus credits from its CDG projects to New York Power Authority accounts of the City of Peekskill; and

WHEREAS, by accepting the credits, the utility expenses of the City of Peekskill will be reduced by approximately \$31,000 over the next approximately ten months; and

WHEREAS these credits will be applied offset expenses in the following accounts, as identified by PowerMarket/Sustainable Westchester:

Account Number	Account Name	Sum	Match with	Use up in about	projected
590914148043001.00	NELSON & CENTRAL ENT	\$69,342.77	\$14,000	3 months	\$1,400
590914148225004.00	1008 BROWN STREET	\$75,433.38	\$55,000	10 months	\$5,500
590914148422015.00	FROST LANE ENT	\$164,097.37	\$67,000	5 months	\$6,700
590914148437005.00	@ PUMP HOUSE ROAD ENT - WAT	\$254,157.10	\$180,000	9 months	\$18,000
		\$563,030.62	\$316,000	0	\$31,600

WHEREAS, these credits are being offered at no cost or obligation to the City of Peekskill and will provide significant savings to the City of Peekskill budget line for utilities; and

WHEREAS, PowerMarket has successfully applied credits from CDG projects to other municipalities and has received positive feedback from those entities, as the savings have appeared on the existing utility bills and have been a one-time event with no costs or obligations.

NOW, THEREFORE, BE IT

RESOLVED, that the City of Peekskill hereby accepts the offered surplus electricity credits from PowerMarket; and be it further

RESOLVED, that the City Manager is authorized to take all steps necessary to accept the credits and to fulfill the intent of this resolution to reduce the City’s utility expenses.

RESOLVED, that this resolution shall take immediately.

It was seconded by Councilman Scott and unanimously carried.

Resolution #J-15 - Grant for Sustainability Coordinator

Councilman Douglas moved to adopt the following resolution:

THIS RESOLUTION AUTHORIZES THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH CENTER FOR ECONOMIC AND ENVIRONMENTAL PARTNERSHIP FOR CONTINUED ENVIRONMENTAL SUSTAINABILITY SUPPORT

WHEREAS, the Westchester Community Foundation (WCF) has recently announced a grant opportunity to develop the capacities of local governments to address climate change in their communities; and

WHEREAS, the Center for Economic and Environmental Partnership (CEEP) would like to submit an application to WCF for this grant in the amount of \$100,000 and requests the support of the City of Peekskill; and

WHEREAS, if successful, these funds will be used to continue current projects and develop additional climate-change related projects within the City of Peekskill; and

WHEREAS, since December of 2022, the City of Peekskill has been working with CEEP with this same intent in mind; and

WHEREAS, the focus of efforts during the 2024 calendar year will be to continue the Climate Action Planning Institute program, develop a roadmap for Climate Smart Communities Silver certification, and focus on additional high impact actions through NYSERDA's Clean Energy Communities program, as well as continue to advance projects that support renewable energy generation, energy efficiency and electrification, as well as other efforts; and

WHEREAS, these efforts will improve the City's capacity to address the climate crisis and will ultimately put the City in a better position to take advantage of funding opportunities from state and federal agencies; and

WHEREAS, the WCF grant requirements include that a memorandum of understanding be in place between CEEP and the City stating that the two parties will work together pending the success of the grant application prior to the submission of the grant application; and

WHEREAS, the submission of the grant application is in the best interest of the City of Peekskill.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager is authorized to execute a memorandum of understanding with CEEP stating that the two parties will work together pending the success of CEEP's grant application to WCF, along with any other documents necessary to fulfill the intent of this resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Councilman Fassett and unanimously carried.

Resolution #J-16 - Water Street Parking Lot Murals

Councilman Scott moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPOINT AN ARTS & CULTURAL COMMISSION TO APPROVE PUBLIC ART INSTALLATION AND TO ADVISE THE COMMON COUNCIL AS TO THE DUTIES, MEMBERSHIP AND ORGANIZATION OF A PERMANENT ARTS & CULTURAL COMMISSION

WHEREAS, the Hudson Valley Center for Contemporary Art (“HVCCA”) has encouraged the City of Peekskill community to participate in and provide public input on public art installations since 2004 through the *Peekskill Projects*, a series of events which have brought artists from both inside and outside the community to be installed in public locations; and

WHEREAS, the HVCCA has worked with local arts organizations such as **Arts10566**, **Peekskill Artists Association** and **Arts Westchester** to assemble an impressive inventory of thirty public art installations throughout the City of Peekskill; and

WHEREAS, the City of Peekskill has greatly benefitted both from the public art itself as well as the public conversation about its art installations; and

WHEREAS, at the July 17, 2023 Council Meeting, a group of business people from the waterfront businesses expressed an interest in replacing neglected and faded publicly displayed art at the Water Street Parking lot; and

WHEREAS, the Water Street Parking lot was installed in 2015 through the efforts of the Hudson Valley Center for Contemporary Art as part of their event *Peekskill Project 6*; and

WHEREAS, there was much public debate about whether the art should be installed on New York State property; and

WHEREAS, it was determined to be in the best interest of the City to authorize the City Manager to appoint a commission of people from knowledgeable arts organizations, artists and citizens all of diverse backgrounds to advise the Council as to whether the proposed art should be installed; and

WHEREAS, the appointed commission would be tasked with determining whether the proposed art should be installed in a public forum at the Water Street Parking Lot, no later than September 25, 2023 as well as any and all proposed public art installations through 2024; and

WHEREAS, the appointed commission would also advise the Council as to the legislation and appointment of a permanent Arts & Cultural Commission for the City of Peekskill as to its mission, duties and organization no later than September 30, 2024.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager or their designee is hereby authorized to appoint up no more than nine people to an Arts & Cultural Commission; and be it further

RESOLVED, that the duties of the appointed Arts & Cultural Commission are to advise the Common Council as to whether the City should accept the proposed art for the Water Street Parking lot wall no later than September 25, 2023; and be it further

RESOLVED, that additional duties of the appointed Arts & Cultural Commission are to advise the Common Council as to the legislation and appointment of a permanent Arts & Cultural Commission for the City of Peekskill as to its mission, duties and organization no later than September 30, 2024; 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 Deputy Mayor Riley and unanimously carried.

Resolution #J-17 - Letter of Support for the Peekskill Art Alliance Our Town grant application for the National Endowment for the Arts

Councilman Fassett moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO SEND A LETTER IN SUPPORT OF THE PEEKSKILL ART ALLIANCE FOR THE OUR TOWN GRANT APPLICATION FOR THE NATIONAL EDOWMENT FOR THE ARTS

WHEREAS, The Peekskill Arts Alliance (PAA) is requesting \$125,000 from the National Endowment for the Arts (NEA) Artist Communities grant to build upon and expand the work it has planned as part of a New York State Downtown Revitalization Initiative (DRI) grant to create a network of public art installations; and

WHEREAS, PAA’s goal in applying for this grant is to expand the “*Making Connections*” project by increasing the number of art and cultural municipal projects; holding community workshops; creating public art that shares the rich cultural tapestry of our diverse community; strengthening partnerships with community organizations and key stakeholders; and building an infrastructure that will provide sustainability and maintenance for public art in Peekskill; and

WHEREAS, funding from the NEA will enable the PAA to build critical collaborations with the different segments of our community, both young and old people; Black, White and Hispanic residents; different religious groups; and our large and active LGBTQ population—to create the murals in the project; and

WHEREAS, the City of Peekskill has no financial obligation for this project and expenses

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager or his designee is hereby authorized to write a letter in support for the Peekskill Art Alliance application for funding through the National Endowment for the Arts.

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Deputy Mayor Riley and unanimously carried.

Swearing in Ceremony by Mayor McKenzie for Volunteer Firefighter Ganesh Mohan.

CITIZENS DESIRING TO BE HEARD

Geraldine Kearse – Peekskill- Depew Park – ADA Compliance in Depew Park by the Gazebo and request to add benches in the Depew Park; Riverfront Green Park- fix grills, add food vendors to Jazz Festival event.

Response by Mayor McKenzie – the festival was privately done. They decide what they want to have.

Leesther Brown – Peekskill- Councilman Scott should step down from Council and PHA Board because of improper signatures. It was criminal and wrong and stepping down would be the right thing to do. Councilman Fassett step down for his hate language. should Shopping carts at senior building; quality of life Lepore Park; shelter – building is now being sold.

Malaka Garrett- 1227 Howard Street – advocate for seniors; the handicap door by Finance should be unlocked.

Elena Walker – Mallard Way – questioned if the capacity for the Esther Street closing been received from the Fire Chief; when are we going to start enforcing no smoking in the parks and no littering; looking for cannabis legislation update; seniors experiencing problems with taxi companies. Response by Deputy Mayor Riley and Chief Dylewski advised her to speak with Officer Woodland. voter room is not feasible; all of the grills at Riverfront need to be replaced.

Nancy Wareham-Gordon- Diven Street- downtown issues, crosswalks need to be repainted at Diven Street, Nelson Avenue; stop sign put on John Street; trash/debris left behind by AAA Carting and DPW workers; code enforcement on all times.

Response by City Manager Alexander advised there is code enforcement employee who works on weekends.

Councilman Fernandez returned at 11:15am.

Joseph Squillante – Pine Street- expressed concern about the Water Street Arches. At Walgreens, prices on shelves are lower than what is being charged at the register. He reported this to the store manager. He is a photographer and would like

to see education, history, bridges brought to those who come to enjoy the river. Deputy Mayor Riley- thanked him for reporting to the manager at Walgreens.

Marsha Bailey- Stuhr Gardens – inquired why mask required for today’s meeting. Response by City Manager Alexander mandate for today’s meeting is due to the dramatic increase in COVID cases.

DT Henry – see attached.

Councilman Fernandez acknowledged today was National Senior Citizen Day.

ADJOURNMENT

Motion made by Deputy Mayor Riley to adjourn the meeting, seconded by Councilman Fernandez and unanimously carried. Meeting adjourned at 11:18am.

Respectfully submitted,

Cassandra Redd, MPA
City Clerk

Redd, Cassandra

From: Albert Nau <avnau@yahoo.com>
Sent: Thursday, July 27, 2023 10:40 AM
To: McKenzie, Vivian; Petrosky, Debra A; Common Council; Gross, Christopher; Alexander, Matthew
Subject: S Division traffic study for Plaza

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Hello all concerned,

Writing to express my support for the proposed S.Division St. Plaza.

I am in Downtown Peekskill daily and have observed on numerous occasions no traffic backups whatsoever on that stretch of closed lane and it's day 4 of the closure.

The added benefit to that lane closure is the safety it provides to people. Crossing S. Division is now much safer even in its current orange cones configuration.

I can only imagine the potential lives saved and critical pedestrian injuries averted with this new plaza design. No doubt you will all get the usual complaints of, "how do I make a right turn", "closing a lane will make traffic worse." It's my sincere hope that none of you succumb to this.

This plaza will benefit the community in ways such as but not limited to people safety, community building, adding much more needed life to Downtown, supporting local businesses, perhaps attracting new businesses, making Downtown more attractive to current and potential renters/buyers, etc.

This is a very exciting project with many benefits now and in the future. Let's work toward making Peekskill more beautiful and safe.

Thank You

Albert
Union Ave.

Sent from my iPhone

Redd, Cassandra

From: Kathleen Belluzzi <bzkat14@optonline.net>
Sent: Monday, August 21, 2023 12:57 PM
To: credd@cityofpeeksikill.com
Subject: Housing zones

I am under the understanding that you can't build higher than Rt 9....that's too high & will be a monstrosity on the river front that is quaint.
Make in lower.

Sent from my iPhone

Redd, Cassandra

From: Albert Nau <avnau@yahoo.com>
Sent: Monday, July 17, 2023 10:32 PM
To: McKenzie, Vivian; Common Council; Petrosky, Debra A; Alexander, Matthew; Gross, Christopher
Subject: NYC Adds Bike Lanes and Pedestrian Plazas to Reclaim Space From Cars - Bloomberg

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<https://www.bloomberg.com/news/articles/2023-07-11/nyc-adds-bike-lanes-and-pedestrian-plazas-to-reclaim-space-from-cars>

If this can be done in NYC on some of the busiest streets in the world theres really no excuse for Peekskill.

Sent from my iPhone

Redd, Cassandra

From: dthenry <dthenry@optonline.net>
Sent: Sunday, August 20, 2023 10:44 AM
To: Redd, Cassandra
Cc: McKenzie, Vivian; Alexander, Matthew; Riley, Patricia; Talbot, Kathie; Fernandez, Ramon; Douglas, Dwight; Scott, Rob; Fassett, Brian
Subject: 8-21-23 Public Comments on Non-Agenda Items

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Good Morning.

I have several topics, with many of them on prior Council topics.

1) At the beginning of the year, Mr. Alexander stated he was preparing proposed regulations for outdoor dining and establishments due to liability (and assuming at the direction of your insurance carrier). I do not recall anything being presented since that time. Did I miss it or has it not been completed?

2. As Esther Street has been blocked off at the Council's direction I submitted an inquiry on August 8 asking if the Fire Chief has determined the maximum capacity of this street. I have not received an answer and would appreciate your reply. In addition, have the businesses signed a "hold harmless" agreement with the City?

3. When are the "no smoking" laws going to be enforced in the parks?

4. When are the "littering" laws going to be enforced?

5. What happened to the proposed Cannabis regulations that were forwarded to you by the Planning Commission in October, 2022? I cannot locate any further discussion on this and would appreciate an update.

6. As all elected officials are held to the highest code of conduct, would it be feasible to have Mr. Scott recuse himself from any votes or discussion until the Westchester County District Attorney's office completes their investigation? Your answer should be yes.

7. Hopefully the City's senior citizens bring up the taxi cab situation. Please do your job and make a decision.

Thank you.

Redd, Cassandra

From: dthenry <dthenry@optonline.net>
Sent: Sunday, August 20, 2023 9:19 AM
To: Redd, Cassandra
Cc: McKenzie,Vivian; Alexander, Matthew; Riley, Patricia; Talbot,Kathie; Fernandez, Ramon; Douglas, Dwight; Scott, Rob; Fassett, Brian
Subject: 8-21-23 Public Comments on Agenda Items

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Good Morning,

I have one request on Agenda Item J-10.

Thank you

J-10:

Is there a picture of the proposed improvements -- both from the street level and overhead. If not, perhaps a Council Member could describe what it will look like and highlight the major changes.

EXPENDITURE REQUIRED:	\$949,833	AMOUNT BUDGETED:	\$877,248	APPROPRIATION REQUIRED:
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SUMMARY STATEMENT

This resolution awards Bid #2023-002 and authorizes the City Manager er contract with McCarey's Landscaping, Inc. in an amount not to exceed \$9, construct improvements at Pugsley Park and to allocate and transfer \$72, project account.

Redd, Cassandra

From: Conor Greene <cgreene408@gmail.com>
Sent: Sunday, August 20, 2023 1:20 PM
To: Redd, Cassandra; Common Council
Cc: McKenzie,Vivian; Douglas, Dwight; Talbot,Kathie; Fernandez, Ramon; Riley, Patricia; Scott, Rob; Fassett, Brian; Rudikoff, Matthew; Friedman, Jean; Alexander, Matthew
Subject: Public Comment on C3 Zoning Amendment

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Dear Mayor, Council and City Staff:

I wholeheartedly support the C3 zoning amendment and the future redevelopment of the run-down, vacant sites along Division into something much more productive. As someone invested in Peekskill's long-term future, I want to see progress in terms of needed housing, jobs, tax revenue to improve the current level of city services, safer streets, more foot-traffic downtown to support businesses, and the many other benefits that the proposed project would bring to this site and our city. We should not let opposition to reasonable density and redevelopment by a small number hold back progress for our entire city.

I would also like to express my dismay at the way the Council has handled this process so far. It has seemingly ignored and relegated the initial public hearing during which there was overwhelming support for the zoning amendment. It has since ignored the input and expertise of its Planning Commission, staff and consultants and weakened the resolution to allow "community character" to somehow be considered, which is a well-known tactic to block multi-family housing. The Council also decided on a whim to demand more parking than is needed or recommended by the city's experts, which means more traffic and speeding on our streets and higher construction and housing costs.

A six-story building at this location is more than reasonable, and this was seemingly headed towards a compromise of 5 stories until the Council made these unnecessary changes and delayed the process by months. A local developer stands ready to make a huge investment in our city and deliver a project that would have many benefits. Leaving this site in its current condition for the next decade is not an acceptable outcome. I urge the city to choose housing and progress over the status quo by passing this zoning amendment.

Sincerely,

Conor Greene
Walnut Street

Redd, Cassandra

From: dthenry <dthenry@optonline.net>
Sent: Sunday, August 20, 2023 1:28 PM
To: Redd, Cassandra
Cc: McKenzie,Vivian; Alexander, Matthew; Riley, Patricia; Talbot,Kathie; Fernandez, Ramon; Douglas, Dwight; Scott, Rob; Fassett, Brian
Subject: 8-21-2023 Public Hearing on C3 Zone Amendment

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It is quite amazing that just about every developer's project in the City mandates the Council to make zoning changes. How about a novel approach and have the developer design to existing zoning codes? The first rule is -- does the project compliment and enhance the surrounding area? The answer is obvious. No it does not.

The north end of the City lacks a park that allows residents to enjoy the outdoors. With such close proximity to Memorial Park, it would be advantageous to meld these areas together. A 4 to 6 story building does not enhance the neighborhood - both in design and function.

Please do not allow the developers dictate their "wants" demands. Please allow the integrity of the neighborhood to remain at 3 stories, as is the current zoning code.

It would be beneficial to do an analysis of all currently approved and under construction projects to review the total impact on the City -- before proceeding with another.

Thank you.

Redd, Cassandra

From: Ryan Foley <ryanfoley613@gmail.com>
Sent: Sunday, August 20, 2023 5:35 PM
To: Redd, Cassandra
Subject: Zoning amendment

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Peekskill resident of 7 years here. When I moved here the city was booming! Restaurants were opening and crowds of classy people could be seen walking throughout the streets. Now 7 years later I can't wait to move. Between the rogue shopping carts everywhere, daily parking violations that go ignored, bums everywhere, violent crime, trashy vape shops, and dilapidated buildings, the city is a mess. Beacon gets hundreds of visitors every weekend, but not Peekskill.

So please amend the zoning restrictions and allow development in the c3 district of downtown. The more new buildings that are built, the better this city gets. I can't believe you guys let the one near the monument get away.

Clean up my city,

Ryan Foley

--

Ryan Foley

ryanfoley613@gmail.com

Redd, Cassandra

From: Alberto Villa <a.villa12@icloud.com>
Sent: Sunday, August 20, 2023 6:02 PM
To: Redd, Cassandra
Subject: Support for Zoning Amendment - Mixed-Use Development in C3 District

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Dear City Council,

I am writing to express my strong support for the proposed Zoning Amendment that would allow mixed-use development in the C3 district of downtown. The amendment will create a vibrant and dynamic downtown area that attracts residents and visitors alike. Mixed-use development fosters a sense of community and promotes walkability, while also encouraging small businesses and entrepreneurs to thrive, stimulating local economic growth. Including residential spaces in the downtown area will help alleviate housing shortages and provide more housing options for our residents.

This Zoning Amendment aligns with the vision of a sustainable and inclusive city. It will create a more diverse and resilient downtown area, offering a variety of amenities and opportunities for people of all ages and backgrounds. Please consider this amendment and recognize its incredible potential positive impact on our community.

Sincerely,

Alberto Villa

1562 East Boulevard
Peekskill, NY 10566
a.villa12@icloud.com
914-508-9047

Redd, Cassandra

From: Liz Greene <liz.greene42@gmail.com>
Sent: Sunday, August 20, 2023 6:48 PM
To: Redd, Cassandra
Cc: Common Council; McKenzie, Vivian
Subject: Comment for Monday's public hearing

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To the City Council:

I'm strongly in support of the c-3 zoning amendment. I think it's incredibly important to revitalize our city, in particular the downtown area, and I think this is a critical step to do so. I do find a public hearing at 10 am on a Monday very inconvenient - it feels like an odd time to schedule a meeting in which you should be welcoming the public to share their opinions.

-Liz Greene, Walnut St

Sent from my iPhone

Redd, Cassandra

From: Greg Gutkes <greggutkes@gmail.com>
Sent: Sunday, August 20, 2023 7:49 PM
To: Redd, Cassandra
Subject: 201 N Division

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Good Evening,

My name is Greg G and I live nearby in downtown Peekskill. I'm a huge fan of this project. The setbacks on various levels give the building an appropriate design and the size is appropriate for the area. Division street is the heart of our downtown. Peekskill demands more housing. The current vacant property brings down surrounding property value and this project will improve local land value.

Please consider this proposal, it's one of the few proposals I can stand behind and think will look great in our downtown.

Thank you,
Greg

Sent from my iPhone

Redd, Cassandra

From: Michael Trapani <mtrapani@icloud.com>
Sent: Monday, August 21, 2023 6:12 AM
To: Redd, Cassandra
Subject: Comment for C3 Zoning Ammendment

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Michael Trapani, 1466 Summit Ave.

I am writing to express my support for a C3 zoning amendment. The kinds of developments like the one proposed on the abandoned plumbing supply site are smart investments in our community. It will bring much needed revitalization to a part of town that needs support from this local government, not more delays. If a Peekskill-designed, affordable-housing-adding, tax-revenue-producing, infrastructure-improving, retail-generating, blight-removing, renewal-energy-using project isn't worth making an exception from an old law written for a different time, I don't know what it.

- Michael

C-3 zoning text amendment for Aug 21, 2023 Public Hearing

James Guerriero submitted a petition that requests C-3 zoning text amendments to Sections 575-31C and 575-34B of the City Code.

The proposed amendments would allow mixed use residential buildings with a Common Council Special Permit on properties located on North Division Street in the C-3 Commercial District that are 40,000 square feet or more in size with an average depth of at least 150 feet.

Four stories would be permitted with a Special Permit, if the Common Council finds that the objectives have been met, and that the development has earned at least three bonus points.

For the project to receive an additional 15 feet, or one more story in height, the Common Council must find that the Special Permit objectives have been met, including that the size, character and intensity of the use is in harmony with the orderly development of the district, and that the height of buildings will not hinder the use and development of adjacent properties or impair their value. The project must also receive six additional bonus points. To receive a second bonus story for a total of six stories, six more points must be achieved, and the Special permit objectives must be satisfied.

There are several options to obtain bonus points:

6 points can be obtained by paying into a city infrastructure fund or by providing public infrastructure, including parking facilities, water, sewer, storm water management, and flood control.

6 points can be achieved for designating 15% of the units as affordable/workforce housing

6 points for providing and managing a publicly accessible community center or an innovative public amenity.

3 points for setting aside 5% of the required number of parking spaces for electric vehicle charging stations, located within 50 feet of the building entrance.

3 points for providing exceptional vegetation and landscaping on the property, and by vegetating 25% of the total roof area, while maintaining maximum building coverage at 70%.

The Maximum Building Coverage can be increased to 85% if green vegetated space is provided on the exterior, such as on the roof or terraces, to the satisfaction of the Common Council.

The Planning Commission recommended that the Common Council adopt this zoning text amendment with consideration of certain revisions. On February 1, 2023 Council provided direction on incorporating revisions into the draft code, and a public hearing was held on February 27, 2023. After additional public comment and review, the draft zoning was revised to require 1.25 parking spaces per dwelling unit rather than 1.0. In addition, the application for a Special Permit must include an analysis of the project's compatibility with the surrounding neighborhood character, including density, height, and types of uses, the project's distance from the downtown C-2 zoning district, visual impacts and design characteristics of the project, and traffic and parking impacts. Issuance of a Special Permit and bonus height will be based upon a finding that the project is generally compatible with the surrounding neighborhood by satisfying the Special permit objectives.

If Council wishes to proceed with the proposed language that is the subject of today's public hearing, then a resolution will be introduced that considers its adoption.