

A special meeting of the Common Council was held in the Common Council Chambers of the municipal building, 840 Main Street, Peekskill, New York, on September 18, 2023 beginning at 10:08 p.m., with Mayor Vivian McKenzie presiding, following the Pledge of Allegiance to the Flag.

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

Also present were: Corporation Counsel Timothy Kramer, Deputy City Clerk Jeanette Moore, City Manager Matthew Alexander and Sergeant of Arms Chief Dylewski.

Mayor McKenzie asked for a moment of silence to respect and reflect to those who fought for our freedom to be here. (Moment of silence)

Mayor McKenzie asked Deputy City Clerk Moore to do roll call.

## **NEW BUSINESS**

Mayor McKenzie asked for a motion to add Resolution J-2 – Street closure for Brown Street from South Division Street to Bank Street for Funeral Service for Reverend Jeanette Phillips to agenda. Councilman Fassett moved the motion and Councilman Douglas seconded the motion. It passed unanimously.

### **RESOLUTION #J-1 – Settlement of Lawsuit**

Deputy Mayor Riley moved to accept the following Resolution:

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

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

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

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

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

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

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

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

**NOW, THEREFORE, BE IT**

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

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

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

A statement was made by the City Manager regarding Resolution J-1.

All voted affirmative except Councilman Fernandez who opposed, motion passed.

Mayor McKenzie read Resolution J-2 in its entirety.

RESOLUTION #J-2 – Street closure for Brown Street from South Division Street to Bank Street for Funeral Service.

Councilman Douglas moved to accept the following Resolution:

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

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

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

**NOW, THEREFORE, BE IT**

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

Councilman Fernandez seconded the motion and it passed unanimously.

Mayor McKenzie adjourned meeting in honor of Reverend Jeanette Phillips.  
at 10:20pm.

Respectfully Submitted,

Jeanette Moore  
Deputy City Clerk