

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 October 23, 2023 beginning at 8:13 p.m., with Mayor Vivian McKenzie presiding, following the Pledge of Allegiance to the Flag.

Mayor McKenzie asked for a moment of silence for those who came before us who have established our freedom and to give thought to the things that are happening in the world today.

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

Absent: Councilman Dwight Douglas.

Also present were: City Manager Matthew Alexander, Deputy Corporation Counsel Michael Hartman, City Clerk Cassandra Redd, Sergeant at Arms Chief Dylewski and Comptroller Toni Tracy.

The minutes from meeting on October 10, 2023 were sent to Mayor McKenzie and Council Members. There were no comments.

Motion made by Deputy Mayor Riley to dispense the reading the minutes from the previous meeting. Seconded by Councilman Fernandez. These minutes will be entered into the record.

Recognition of Hispanic Heritage Month – Marisol Jimenez. She was unable to attend the recognition on September 25, 2023. She was given a proclamation and certificate.

### **PUBLIC COMMENTS ON AGENDA ITEMS**

Darryl Davis – could not speak non agenda item at this time. His comments would have to be made under Citizens Desiring To Be Heard. He left.

Leesther Brown – concerns with the Parking Hearing Officer Local Law that will give authority to reach out to other communities. She would like to see it exclusively for Peekskill resident.

### **COMMUNICATIONS**

None

### **DEPARTMENT HEAD AND CITY MANAGER REPORTS**

City Manager Matt Alexander reported on the following areas:

- \*Budget
- \*New website with ability to report a concern
- \*Quality of Life - litter

**NEW BUSINESS**

**Public Hearing – Smoke Shop Moratorium**

Mayor McKenzie called the hearing to order. She stated the Roll Call was not necessary as no Council Members had left. The Clerk read the Notice of Public Hearing. Mayor McKenzie declared the Public Hearing opened.

Statement by City Official was given by Deputy Corporation Counsel Michael Hartman.

Citizens wishing to be heard:

Leesther Brown – asked for clarification on the smoke shop moratorium.

DT Henry – emailed a comment for Public Hearing on Smoke Shops (see attached)

Deputy Mayor Riley moved to close the Public Hearing. Seconded by Councilman Fassett. Unanimously carried.

**Local Law - Parking Hearing Officer**

Councilwoman Talbot moved to adopt the following resolution:

**RESOLUTION ADOPTING LOCAL LAW № \_\_\_\_\_ OF 2023  
AMENDING §100-4 OF THE PEEKSKILL CITY CODE ENTITLED “DUTIES OF  
DIRECTOR, HEARING EXAMINERS” REGARDING THE RESIDENCY  
REQUIREMENT FOR PARKING COURT HEARING EXAMINERS**

**WHEREAS**, §100-4 of the Peekskill City Code specifies guidelines regarding the appointment of hearing examiners for the Parking Violations Bureau, including a requirement that the hearing examiners must be a resident of the City of Peekskill; and

**WHEREAS**, the City of Peekskill desires to expand the residency requirement to include nearby counties in order to expand the pool of potential hearing examiners; and

**WHEREAS**, the amendment will allow the City Manager to appoint parking hearing examiners who reside in the counties of Westchester, Dutchess, Putnam Orange and Rockland; and

**WHEREAS**, on September 11, 2023, a proposed local law was placed on the desks of the members of the Common Council to adopt a local to amend section 100-4 of the Peekskill City

Code regarding residency requirements of parking violations bureau hearing examiners; and

**WHEREAS**, on September 18, 2023, a public hearing was held on said local law 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**

**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  
AMENDING SECTION 100-4 OF THE PEEKSKILL CITY CODE ENTITLED  
“DUTIES OF DIRECTOR; HEARING EXAMINER”**

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

**Section 1.** Section 100-4 of the Code of the City of Peekskill entitled “Duties of Director; Hearing Examiner” is hereby amended as follows:

Chapter 100 Parking Violations Bureau

§ 100-4. Duties of Director; hearing examiners.

A. The Chief Executive Officer shall appoint a Director, and the duties of the Director shall include but not be limited to:

- (1) The supervision and administration of the work of the Bureau.
- (2) Membership on the Appeals Board of the Bureau as provided hereinafter.

B. The Chief Executive Officer shall appoint hearing examiners who shall preside at hearings for the adjudication of charges of parking violations. Hearing examiners shall be appointed and shall serve for such number of sessions as may be determined by the

Chief Executive Officer and shall receive therefor such remuneration as may be fixed by the Chief Executive Officer. Hearing examiners shall not be considered employees of the City, and every hearing examiner shall be a resident of the County of Westchester, County of Dutchess, County of Putnam, County of Orange or County of Rockland who shall have attained the age of 21 years prior to their appointment and possess such temperament as the Chief Executive Officer finds to be compatible to the duties of the office.

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

Seconded by Councilman Fassett. Councilman Fernandez – opposed. Motion passed.

### **Resolution #J-1 Street Closure request by Parks and Recreation**

Councilman Fernandez moved to adopt the following resolution:

**THIS RESOLUTION AUTHORIZES THE STREET CLOSURE OF DIVISION STREET BETWEEN PARK STREET AND MAIN STREET ON SATURDAY, OCTOBER 28, 2023 BETWEEN THE HOURS OF 10:00 AM TO 3:00 PM FOR A HALLOWEEN PUMPKIN DESIGN**

**WHEREAS**, the Peekskill Recreation Department and the Peekskill BID, in conjunction with the Peekskill Farmer’s Market, have submitted a request to hold a Halloween Pumpkin Design on Saturday, October 28, 2023; and

**WHEREAS**, the Peekskill Recreation Department and the Peekskill BID, in conjunction with the Peekskill Farmer’s Market, have submitted a request to hold the following day, Sunday,

October 29, 2023 for the Halloween Pumpkin Design on Saturday, October 28, 2023 in case there is inclement weather; and

**WHEREAS**, the Peekskill Recreation Department and the Peekskill BID, in conjunction with the Peekskill Farmer’s Market are requesting the closure of Division Street between Park Street and Main Street on Saturday, October 28, 2023 from 10:00 am to 3:00 pm or on Sunday, October 29, 2023 in the case of inclement weather; and

**WHEREAS**, the Common Council deems it in the best interest of the City of Peekskill to authorize the street closure as necessary to allow for the Halloween Pumpkin Design.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Chief of Police is authorized to close Division Street between Park Street and Main Street on Saturday, October 28, 2023 from 10:00am to 3:00pm; and

**RESOLVED**, that the Chief of Police is authorized to close Division Street between Park Street and Main Street on Sunday, October 29, 2023 from 10:00am to 3:00pm should inclement weather necessitate the postponement of an October 28<sup>th</sup> event.

It was seconded by Councilman Fassett and unanimously passed.

**Resolution #J-2 - Stamped Concrete Crosswalks - reject bid and re-authorize re-bid**

Councilman Scott moved to adopt the following resolution:

**AUTHORIZATION TO REJECT BID #2023-004 AND TO REBID THE DOWNTOWN STAMPED CONCRETE CROSSWALKS PROJECT**

**WHEREAS**, the City of Peekskill has entered into a contract with the Dormitory Authority of the State of New York (“DASNY”) in an amount of \$100,000 to design and construct high

quality, durable, and attractive stamped concrete crosswalks at certain intersections in the Downtown (the “Project”); and

**WHEREAS**, on December 27, 2022 the Common Council authorized an additional \$50,000 in City capital for the Project; and

**WHEREAS**, after allocating design and construction inspection costs, \$133,990 is available in the Project account to fund construction; and

**WHEREAS**, the City prepared construction documents and requested bids under Bid No. 2023-004 for these improvements, and two (2) bids were received on October 16, 2023 and were opened and read aloud; and

**WHEREAS**, the bids received contained costs for the base bid that exceeded the Project funding available for construction; and

**WHEREAS**, under bid documents released, the City reserves the right to reject any and all bids and to solicit new bids where it is in the public interest; and

**WHEREAS**, the Project scope of work can be revised in order to solicit new bids that may be more in line with the Project budget; and

**WHEREAS**, it is in the best interest of the City of Peekskill to reject all bids received and re-bid the project.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that all bids submitted on October 16, 2023 for Bid No. 2023-004 “Downtown Stamped Concrete Crosswalks” are hereby rejected and the City Manager or his designee is hereby authorized to return all bid deposits; and be it further

**RESOLVED**, that the City Manager is hereby authorized to advertise a new Bid Notice for revised Project construction documents; and be it further

**RESOLVED**, that the City Manager is hereby authorized to take any and all necessary steps to facilitate the intent of this Resolution; and be it further

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

It was seconded by Councilman Fernandez and unanimously passed.

**Resolution #J-3 - 201 North Division Street Letter of Joinder**

Councilman Fassett moved to adopt the following resolution:

**RESOLUTION AUTHORIZING THE CITY MANAGER  
TO EXECUTE A LETTER OF JOINDER WITH JAMES GUERRIERO  
FOR 1020 HOWARD STREET TO ALLOW APPLICATIONS  
FOR A MIXED-USE DEVELOPMENT AT 201 N. DIVISION STREET**

**WHEREAS**, the City of Peekskill is the owner of a narrow parcel of land at 1020 Howard Street in the City of Peekskill that contains a storm water sewer line, identified on the Official Tax Map as Section 33.22, Block 5, Lot 5 (“Subject Parcel”); and

**WHEREAS**, James Guerriero, the owner of 201 N. Division Street (the “Developer”) has proposed a mixed-use development that includes development on the Subject Parcel; and

**WHEREAS**, the Developer proposes to relocate and rebuild the storm water sewer line according to City specifications as part of the development project, and to grant the City a permanent utility easement to access and maintain the sewer line; and

**WHEREAS**, it has been determined that this property is not needed for any municipal or public purpose on the conditions that the developer re-builds the sewer line as per City requirements and grants the City a permanent easement for access to the sewer line; and

**WHEREAS**, in order to proceed with the development at 201 N. Division Street, the Developer must apply for site plan, special permit and other potential City approvals for the development; and

**WHEREAS**, this requires the City to sign a Letter of Joinder to allow the Developer to submit application(s) to the City for a project that includes the Subject Parcel; and

**WHEREAS**, the Common Council deems it in the best interest of the City of Peekskill to sign a Letter of Joinder in order to allow this project to proceed through the review process.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Manager or his designee is hereby authorized to sign a Letter of Joinder with the Developer to allow it to submit applications to construct on the subject parcel as part of the larger mixed-use development at 201 N. Division Street; and be it further

**RESOLVED**, that this Letter of Joinder shall be subject to the review and approval of the City Manager and Corporation Counsel; and be it further

**RESOLVED**, that the City Manager and Corporation Counsel are authorized and directed to take any and 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-4 - Lower South Street Sewer Project Funding**

Deputy Mayor Riley moved to adopt the following resolution:

**RESOLUTION AUTHORIZING AN INCREASE IN THE CITY SEWER FUND CONTRIBUTION TO REPLACE SEWER LINES ON LOWER SOUTH STREET**

**WHEREAS**, on September 9, 2019, the Common Council authorized the City Manager to submit an application to the Environmental Facilities Corporation (EFC) for a \$750,000 grant through the Water Infrastructure Improvement Act (WIAA) to relocate and replace a sewer main in Lower South Street; and



**WHEREAS**, on December 23, 2019, the EFC informed the City that it has been selected to receive this grant, which requires the City to contribute \$2,250,000 to meet the project cost estimate to construct the project; and

**WHEREAS**, on January 13, 2020, by Resolution Number J-5, the Common Council authorized the City's contribution of \$2,250,000; and

**WHEREAS**, the expected expenses to construct the project has increased, causing the overall cost of the project to increase; and

**WHEREAS**, the estimated total to complete the project is now \$3,750,000, which includes the EFC grant amount of \$750,000; and

**WHEREAS**, the City is now required to contribute a total of \$3,000,000; and

**WHEREAS**, on September 9, 2019 the City authorized the issuance of serial bonds up to \$3,000,000 to finance the project; and

**WHEREAS**, it has been determined that the Sewer Fund can absorb the annual loan expense without impacting the annual sewer revenues and without raising taxes; and

**WHEREAS**, this Common Council finds it to be in the best interest of the City of Peekskill and its residents to increase the amount contributed by the Sewer Fund in order to replace a sewer line in Lower South Street.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Common Council hereby authorizes an additional \$750,000 of the sewer fund balance to fund the replacement of a sewer line in Lower South Street,, for a total commitment of up to \$3,000,000 as the City's required portion to construct the project; and be 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 Councilman Fassett and unanimously passed.

**Resolution #J-5 - Set Public Hearing to override Tax Cap for 2023**

Councilwoman Talbot moved to adopt the following resolution:

**RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW  
TO OVERRIDE THE 2024 TAX CAP LIMIT**

**WHEREAS**, New York State General Municipal Law establishes a “property tax cap” on the amount that a local government’s property tax levy can increase each year; and

**WHEREAS**, the property tax cap does not allow municipalities to increase the tax over a percentage limit calculated by the Office of the New York State Comptroller; and

**WHEREAS**, that calculation does not allow municipalities to exclude the increase in costs of health insurance and pensions for its employees and/or retirees; and

**WHEREAS**, the 2024 cost of health insurance and pensions for the City of Peekskill is expected to increase by 20.0% over 2023 budgeted and projected 2023 actual costs; and

**WHEREAS**, the increase in health insurance and pensions alone equate to a \$2.2 million increase in the total appropriations, or an 11.05% increase in the tax rate; and

**WHEREAS**, this increase will cause the City to appropriate more than \$2.2 million from its fund balance in order to produce a balanced budget; and

**WHEREAS**, utilizing that much of the city’s fund balance is not sustainable; and

**WHEREAS**, the city has determined that by controlling costs, reducing expenses and increasing its tax rate over the allowable tax cap in multiple years that the city can gradually reduce

the amount of fund balance that it must budget in order to keep a balanced budget in a sustainable manner; and

**WHEREAS**, this law is effective for local government’s fiscal year beginning in 2024; and

**WHEREAS**, under this law, the total amount that taxes can be raised through property taxes charged on the municipality’s taxable assessed value of property is capped at two percent (2%) or the rate of inflation, whichever is less, with some exceptions; and

**WHEREAS**, General Municipal Law §3-c allows local governments to override the tax cap to protect the City from unforeseen financial circumstances; and

**WHEREAS**, pursuant to General Municipal Law §3-c, a City may override the tax cap by the adoption of a local law by a vote of at least sixty percent (60%) of the Common Council; and

**WHEREAS**, the Common Council desires to hold a public hearing for the purpose of hearing public comments on the adoption of a Local Law to override the tax cap for the 2024 fiscal year.

**NOW THEREFORE, 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 13<sup>th</sup> day of November, 2023, 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**  
**LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

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**  
**LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT**  
**ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

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

**Section 1. Legislative Intent**

It is the intent of this local law to allow the City of Peekskill to adopt a budget for the fiscal year commencing January 1, 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined in General Municipal Law §3-c.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

**Section 3. Tax Levy Limit Override**

The Common Council of the City of Peekskill, County of Westchester, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

It was seconded by Councilman Fassett and unanimously passed.

**Resolution #J-6 - Set Public Hearing for Budget 2024**

Councilman Fernandez moved to adopt the following resolution:

**RESOLUTION SETTING A PUBLIC HEARING  
REGARDING THE COMMON COUNCIL'S RECOMMENDED FISCAL YEAR 2024  
BUDGET**

**WHEREAS**, the fiscal year of the City of Peekskill shall begin on the first day of January and end on the last day of December; and

**WHEREAS**, on or before the first day of October in each year, the City Manager shall prepare and file a tentative budget for the ensuing fiscal year and an accompanying message with the City Clerk, who shall thereupon notify the Common Council in writing of such filing; and

**WHEREAS**, the City Manager filed his tentative budget and message with the City Clerk and the Common Council was notified in writing of such filing; and

**WHEREAS**, on or before the first day of November of each year, the Common Council shall review the tentative budget and make such preliminary changes in the tentative budget as it deems appropriate; and

**WHEREAS**, a public hearing on the budget shall be held on or before the 15<sup>th</sup> day of November in each year; and

**WHEREAS**, a public hearing for the Recommended Fiscal Year 2024 Budget shall be held on Monday, November 13, 2023 at 7:30 P.M, in the Common Council Meeting

Room, City Hall, 840 Main Street, City of Peekskill, County of Westchester, Sate of New York.

**THEREFORE, BE IT**

**RESOLVED**, that a Public Hearing of the Common Council is hereby scheduled for the Recommended Fiscal Year 2024 Budget, which shall be held in the Common Council Meeting Room, City Hall, 840 Main Street, City of Peekskill, County of Westchester, State of New York, on Monday, November 13, 2023 at 7:30 P.M., or as soon thereafter as may be convenient; and be it further

**RESOLVED**, that the City Clerk be, and she hereby is, directed to give notice of said Public Hearing in the official newspaper as required by the City Charter and which public notice shall state that copies of the Common Council's Recommended Fiscal Year 2024 Budget and Budget Message Program are available at the City Clerk's Office in City Hall, 840 Main Street, Peekskill, New York, for inspection by the public during the hours of 9:00 A.M. to 5:00 P.M., Monday through Friday; and be it further

**RESOLVED**, that the City Clerk be, and she hereby is, directed to publish at the same time in the official newspaper a general summary of the Common Council's Recommended Fiscal Year 2024 Budget.

It was seconded by Councilman Fassett and unanimously passed.

**Resolution #J-7 - Lease Agreement of the Neighborhood Center with  
the Field Library Inc.**

Councilman Scott moved to adopt the following resolution:

**RESOLUTION AUTHORIZING AN AGREEMENT TO LEASE SPACE ON THE MAIN FLOOR, MEZZANINE LEVEL AND LOWER LEVEL OF THE MICHAEL J. DIBART NEIGHBORHOOD CENTER TO THE FIELD LIBRARY, INC.**

**WHEREAS**, the City of Peekskill owns the property located at 4 Nelson Avenue in the City of Peekskill, known as the Michael J. Dibart Neighborhood Center (the “Building”); and

**WHEREAS**, in or about 1978, the Building was constructed as a neighborhood facility and the Field Library Inc. took occupancy at a portion of the Building that was designed for use as a public library; and

**WHEREAS**, the Peekskill Common Council had desired to contribute to and support the Field Library, Inc. in order to provide public library services to its citizens; and

**WHEREAS**, in 1978, the City entered into a lease agreement wherein the Field Library, Inc. leased from the City portions of the Building consisting of approximately 16,000 square feet of space on the main floor, mezzanine level and lower level (said lower level being referred to as the Colin T. Naylor, Jr. Archives) to the Field Library, Inc. (the “Leased Space”); and

**WHEREAS**, the lease agreement required the Field Library, Inc. to invest the sum of \$100,000.00 resulting from the sale of the Field Library facilities, and to pay to the City the interest accumulated thereon from August 24, 1978 through December 31, 1978, and did not require any future rent payments; and

**WHEREAS**, due to the passage of time, the terms and conditions of the original lease are out of date; and

**WHEREAS**, the parties wish to amend and restate the original lease with updated terms and conditions; and

**WHEREAS**, the Field Library, Inc. has requested a twenty (20) year lease agreement at a rental amount of \$0.00 per month, with a tenant option to extend the term of the lease for two additional ten-year periods; and

**WHEREAS**, the Leased Space will be used for general library use, including, but not limited to, staff work rooms, classrooms and/or computer labs, and programming space; and

**WHEREAS**, the Common Council deems it in the best interest of the City to enter into such a lease agreement with the Field Library, Inc.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Manager, or his designee, is authorized to execute a lease agreement with The Field Library, Inc. for the use of approximately 16,000 square feet of space on the main floor, mezzanine level and lower level (said lower level being referred to as the Colin T. Naylor, Jr. Archives) to the Field Library, Inc.; and be it further

**RESOLVED**, that the lease agreement shall consist of a term of twenty (20) years at a rental amount of \$0.00 per month, with a tenant option to extend the term of the lease for two additional ten-year periods; and be it further

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

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

It was seconded by Deputy Mayor Riley and unanimously passed.



**CITIZENS DESIRING TO BE HEARD**

Leesther Brown – inquired about the amount in the budget gap fund, particularly the Parks and Recreation fund.  
Response by City Manager and Comptroller.

Announcements by Mayor McKenzie and Council Members.

**ADJOURNMENT**

Motion made by Councilwoman Talbot to adjourn the meeting, seconded by Councilman Fassett and unanimously carried. Meeting adjourned at 8:58pm.

Respectfully submitted,

Cassandra Redd, MPA  
City Clerk

## Redd, Cassandra

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**From:** dthenry <dthenry@optonline.net>  
**Sent:** Monday, October 23, 2023 6:27 AM  
**To:** McKenzie,Vivian; Talbot,Kathie; Riley, Patricia; Fernandez, Ramon; Douglas, Dwight; Scott, Rob; Fassett, Brian  
**Cc:** Redd, Cassandra  
**Subject:** Public Hearing Comments on Smoke Shops

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There are several holes in the subject resolutions:

- Why is this limited to smoke shops and delis? It should be broadened to all businesses and not for profit entities. I would also suggest expanding it to all structures including private residence homes and apartment buildings.
- What action will be taken if the responsible City authority determines a violation has occurred?
- Who is responsible for enforcing these 3 resolutions? What is the monetary fine for ignoring the law?

Sadly, there are so many current laws that are not enforced. May I suggest a campaign be initiated by the Police Department summarizing the fines for violations. Residents expect all of you to uphold the laws of the City and New York state as you took an oath of office to do so.

Thank you.