

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 November 13, 2023 beginning at 7:30 p.m., with Deputy Mayor Patricia Riley presiding, following the Pledge of Allegiance to the Flag.

Deputy Mayor Riley asked for a moment of silence for those who came before us and to pray for peace in this world.

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

Absent: Mayor McKenzie and Councilman Robert Scott.

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 23, 2023 were sent to Mayor McKenzie and Council Members. There were no comments.

Motion made by Councilman Fassett to dispense with the reading of the minutes from the previous meeting. Seconded by Councilman Douglas. Unanimously carried. These minutes will be entered into the record.

Recognition of Benevolent Gift by Carol Ferrandino. She was unable to attend. The certificate will be sent to her.

PUBLIC COMMENTS ON AGENDA ITEMS

Leesther Brown – asked for clarification of the Puglsey Park change order and expressed concerns with the use of Puglsey Park.

COMMUNICATIONS

None

DEPARTMENT HEAD AND CITY MANAGER REPORTS

City Manager Matt Alexander reported on the following areas:

- *Anti – violence initiative
- *Community Kitchen Pilot Program
- *Budget process
- *Quality of Life

NEW BUSINESS

Public Hearing – Override Tax Cap for 2023

Deputy Mayor Riley called the hearing to order. She requested a Roll Call to be taken by Clerk. The Clerk read the Notice of Public Hearing. Deputy Mayor Riley declared the Public Hearing opened.

Statement by City Official was given by Toni Tracy, Comptroller and Powerpoint presentation was shown.

Citizens wishing to be heard:

Leesther Brown – asked for clarification for the reason for breaking the Tax Cap.

Councilwoman Kathleen Talbot moved to close the Public Hearing. Seconded by Councilman Fassett. Unanimously carried.

Public Hearing – Common Council’s Recommended Fiscal Year 2024 Budget

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

Statement by City Official was given by Toni Tracy, Comptroller and Powerpoint presentation was shown.

Citizens wishing to be heard:

Leesther Brown – questioned if there was a raise for the Mayor, Council and City Staff.

DT Henry emailed comment for Public Hearing (see attached).

Councilwoman Kathleen Talbot moved to close the Public Hearing. Seconded by Councilman Fassett. Unanimously carried.

REGULAR AGENDA

Resolution #J-1 AAA State Transportation Contract

Councilman Fassett moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE WESTHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES FOR FUNDING FOR THE AAA TRANSPORTATION OF SENIOR CITIZENS IN THE CITY OF PEEKSKILL FOR THE YEAR 2023-2024.

WHEREAS, the Westchester County Department of Senior Programs and Services has informed the City of Peekskill that they have approved a budget of \$2,023.00 for the AAA Transportation Senior Citizens Supportive Services; and

WHEREAS, the funding will be used to provide fuel reimbursement for transporting the Senior Citizens in the City of Peekskill traveling to and from the Nutrition Program and;

WHEREAS, the City of Peekskill has participated in this program in the past and wishes to continue to do so, and

WHEREAS, the City of Peekskill will receive \$2,023.00 in funding from Westchester County; and

WHEREAS, the funds receivable will be deposited to budget line 001.0001.6002; and

WHEREAS, this Common Council believes it is in the best interest of the City of Peekskill to

participate in the program.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager, or his authorized designee, is hereby authorized to enter into

An agreement with the Westchester County Department of Senior Programs and Services for funding of

This program pursuant to AAA Transportation, for the program year of April 1, 2023 through March 31,

2024; and be it further

RESOLVED, the agreement shall be in a form substantially similar to the attached hereto, subject

to the review and approval of the City Manager and Corporation Counsel; and be it further

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

RESOLVED, that this Resolution take effect immediately.

It was seconded by Councilman Douglas and unanimously passed.

Resolution #J-2 - IIIB Transportation Contract

Councilwoman Talbot moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO THE TITLE III-B CONTRACT WITH WESTCHESTER COUNTY FOR YEAR 2023 FOR THE CITY OF PEEKSKILL SENIOR NUTRITION PROGRAM

WHEREAS, the Westchester County Department of Senior Programs and Services has informed

the City of Peekskill that they have approved a budget of \$5,964.00 for the Title III-B Senior Citizens

Supportive Services, and

WHEREAS, the funds are intended to provide transportation for the Senior Citizens in the City of Peekskill; and

WHEREAS, the City of Peekskill has participated in this program in the past and wishes to

continue to do so; and

WHEREAS, the City of Peekskill will receive \$3,519.00 in Federal Funds, and

WHEREAS, the City of Peekskill has allocated the sum of \$2,445.00 as the required matching

share as a condition of the grant, and

WHEREAS, the funds receivable are to be deposited in budget line 001.0001.6002

WHEREAS, the matching funds are available through the provision of in-kind Services, and Budget Line 001.7621.0104; and

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager, or his authorized designee, is hereby authorized to sign and submit all documents provided by the Westchester County Department of Senior Programs and Services for funding this program pursuant to Title IIIB of the Older Americans Act

of 1965, for the program year of January 1, 2023 through December 31, 2023 including the authorization to sign and submit all documents.

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

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

RESOLVED, that this Resolution take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

**Resolution #J-3 - Memorandum of Understanding – Plant Powered
Metro New York**

Councilman Fernandez moved to adopt the following resolution:

**RESOLUTION OF THE COMMON COUNCIL AUTHORIZING
THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING WITH
PLANT POWERED METRO NY TO CONDUCT PLANT BASED CULINARY
PROGRAMMING TO BENEFIT THE CITY OF PEEKSKILL’S SENIOR NUTRITION
PROGRAM**

WHEREAS, Plant Powered Metro New York (PPMNY) as part of its Community Initiatives program, has been awarded funding to support plant based culinary education programming the senior nutrition programming, and specifically to fund a program to support the Senior citizen population in the City of Peekskill; and

WHEREAS, the City of Peekskill represents that it is an organization capable of coordinating nutrition and supportive services to improve the well-being of those elderly persons who are at nutritional high risk; and

WHEREAS, the City of Peekskill desires to provide the Program services; and

WHEREAS, there is no financial outlay required from the City;

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager is hereby authorized to sign a Memorandum of Understanding with Plant Powered Metro NY to support the Senior Nutrition Program initiatives; and be it further

RESOLVED, that the Memorandum of Understanding shall be subject to the review and approval of the City Manager and Corporation Counsel; 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 Councilwoman Talbot and unanimously passed.

Resolution #J-4 - Funding for TIPS Program – FFY 2023

Councilman Fassett moved to adopt the following resolution:

**RESOLUTION OF THE COMMON COUNCIL AUTHORIZING
THE CITY MANAGER TO ACCEPT ADDITIONAL FUNDING FROM THE
PUBLIC/PRIVATE PARTNERSHIP FUND FOR AGING SERVICES AND THE
WESTCHESTER COUNTY DEPARTMENT OF THE AGING TO SUPPORT THE CITY
OF PEEKSKILL'S TIPS PROGRAMMING**

WHEREAS, the Public/Private Partnership Fund for Aging Services and Westchester County Department of the Aging has awarded the City of Peekskill \$7,500.00 in additional funding

to support the retention and recruitment of senior citizen participants enrolled in the TIPS program;
and

WHEREAS, the City of Peekskill represents that it is an organization capable to coordinating nutrition and social support services to improve the well-being of those elderly persons who are at nutritional high risk; and

WHEREAS, the City of Peekskill desires to provide the Program services; and

WHEREAS, these costs are eligible, and no local cash match is required; and

WHEREAS, the funds receivable will be deposited in budget line 001.0001.6002; and

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager is hereby authorized to issue an invoice to the Public/Private Partnership Fund for Aging Services to procure the funds that support the TIPS Program initiatives; 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 Councilman Fernandez and unanimously passed.

Resolution #J-5 - Professional Services Agreement for Biometric Time Clock and Import of Time Records

Councilman Fernandez 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 LEASE BIOMETRIC
TIME CLOCKS AND IMPORT TIME RECORDS**

WHEREAS, to ensure that time entry is seamlessly captured on timesheets in the City's timekeeping system, biometric time clocks and imports of time records from existing scheduling systems (Police and Fire) necessitate the leasing of equipment and activating data conversion from third-party systems; and

WHEREAS, Paycom Payroll, LLC is the City's timekeeping system, the City will lease six biometric time clocks and activate data conversion to import time records from third-party scheduling systems to Paycom; and

WHEREAS the annual cost to lease six biometric time clocks is \$5,394, and to activate data conversion to import time records from third-party scheduling systems (Police and Fire) the annual cost is \$1,084.46; and

WHEREAS, the Comptroller has identified Budget Line 001.1430.0475 as the source of funding for payment of these professional services; 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 lease six

biometric timeclocks and import time records from third-party scheduling systems at a cost not to exceed \$6,479; 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-6 - Request for fee waiver by CHHOP for Turkey Trot

Councilman Fassett moved to adopt the following resolution:

RESOLUTION APPROVING THE WAIVER OF THE PERMIT APPLICATION FEE FOR THE CARING FOR THE HUNGRY AND HOMELESS OF PEEKSKILL (“CHHOP”) FROZEN TURKEY DISTRIBUTION

WHEREAS, CCHOP has submitted a permit application with the City Clerk’s Office requesting to use the City Hall Employee Parking lot to distribute frozen turkeys on November 18, 2023; and

WHEREAS, the application requires the submission of a fee of \$150.00 (One hundred fifty dollars and no cents) for this event; and

WHEREAS, CHHOP has requested the City waive the fees associated with the application; and

WHEREAS, the Common Council find that it is in the best interest of the City of Peekskill to approve a waiver of the one hundred and fifty dollar (\$150.00) permit application fee for CHHOP’s frozen turkey distribution to ensure residents combat food insecurity.

NOW, THEREFORE BE IT

RESOLVED, that this permit application shall be subject to review and approval of the Corporation Counsel and the City Clerk; and be it further

RESOLVED, that the permit application fee for this event is hereby waived; and be it further

RESOLVED, that this Resolution take effect immediately.

It was seconded by Councilman Douglas and unanimously passed.

Resolution #J-7 - Request for parade permit by CHHOP for Turkey Trot

Councilman Douglas moved to adopt the following resolution:

THIS RESOLUTION AUTHORIZES THE TEMPORARY STREET CLOSURE OF PARK STREET FROM DIVISION STREET TO BROAD STREET, BROAD STREET FROM PARK STREET TO CROMPOND ROAD AND CROMPOND ROAD FROM BROAD STREET TO PARK STREET ON SATURDAY, NOVEMBER 18, 2023 BETWEEN THE HOURS OF 8:00AM TO 9:45 AM FOR THE THIRD ANNUAL TURKEY TROT.

WHEREAS, the Caring for the Hungry and Homeless of Peekskill (“CHHOP”) has submitted a

request to hold their third annual Turkey Trot on Saturday, November 18, 2023; and

WHEREAS, CHHOP is requesting the closure of Park Street from Division Street to Broad Street, Broad Street from Park Street to Crompond Road, and Crompond Road from Broad Street to Park Street on Saturday, November 18, 2023 from 8:00 am to 9:45am ; 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 Turkey Trot.

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police is authorized to close Park Street from Division Street to Broad Street, Broad Street from Park Street to Crompond Road, and Crompond Road from Broad Street to Park Street on Saturday, November 18, 2023 from 8:00 am to 9:45am.

It was seconded by Councilman Fassett and unanimously passed.

**Resolution #J-8 - Request for free holiday parking in City garages
by BID**

Councilman Fernandez moved to adopt the following resolution:

THIS RESOLUTION AUTHORIZES COMPLIMENTARY FOUR-HOUR PARKING IN THE DOWNTOWN BUSINESS DISTRICT DURING THE HOLIDAY SEASON

WHEREAS, the Mayor and Common Council would like to provide an incentive for the Merchants of the Central Business District during the upcoming Holiday Season; and

WHEREAS, in the past, the Mayor and Common Council have authorized complimentary Parking in the downtown garages within the Central Business District during the Holiday Season; and

WHEREAS, the Common Council finds that providing as many opportunities for the local businesses to thrive is of the utmost of importance; and

WHEREAS, the BID has requested the City waive the parking fees in the downtown Business District municipal garages as a way to promote local businesses; and

WHEREAS, the Common Council finds that it is in the best interest of the City of Peekskill to approve complimentary parking in the downtown garages within the Central Business District during the Holiday Season in an effort to support local businesses.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor and Common Council hereby authorizes complimentary four-hour parking in the Nelson Avenue and James Street parking garages during the Holiday Season for the period between November 24, 2023 and January 1, 2024.

It was seconded by Councilwoman Talbot and unanimously passed.

Resolution #J-9 - Street closure for holiday tree lighting

Councilwoman Talbot moved to adopt the following resolution:

**CITY OF PEEKSKILL
ANNUAL HOLIDAY TREE LIGHTING**

WHEREAS, the City of Peekskill Recreation Department is holding its Annual Holiday Tree Lighting event on Saturday, December 2, 2023 between the hours of 4:00 PM and 8:00 PM; and

WHEREAS, the City of Peekskill Recreation Department is requesting the closures of Park Street between North Division Street and Bank Street from 10:00 am - 9:00 pm; South Division Street and North Division Street between South Street and Main Street from 2:00 pm – 9:00pm and Central Avenue from K Lot to North Division Street from 2:00 pm – 9:00 pm; and

WHEREAS, this Council has historically deemed it in the best interest of the citizens of the City of Peekskill to participate in this special event;

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted by this Common Council for the City of Peekskill Recreation Department to hold its Annual Holiday Tree Lighting event on December 2, 2023 between the hours of 4:00 pm and 6:30 pm; and be it further

RESOLVED, that the Chief of Police is authorized to close Park Street between North Division Street and Bank Street from 10:00 am -9:00 pm; South Division Street and North Division Street between South Street and Main Street from 2:00 pm – 9:00 pm and Central Avenue from K Lot to North Division Street from 2:00 pm – 9:00 pm; on December 2, 2023 for this event; and be it further

RESOLVED, that this resolution shall take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-10 - Accept sailboat from Rising Tide

Councilman Douglas moved to adopt the following resolution:

RESOLUTION APPROVING THE ACCEPTANCE OF THE DONATION OF A SAILBOAT TO BE USED AS A TEACHING TOOL BY THE YOUTH BUREAU'S RISING TIDE BOATBUILDING PROGRAM

WHEREAS, Mrs. Carol Ferrandino has offered to donate a sailboat to the City of Peekskill Youth Bureau; and

WHEREAS, the sailboat will be used by the Peekskill Youth Bureau's Rising Tide Boatbuilding Program; and

WHEREAS, the sailboat will be used to teach different ways to clean and restore boats back to their original shape; and

WHEREAS, the estimated value of the sailboat is \$500; and

WHEREAS, there is no cost to the City of Peekskill; and

WHEREAS, having given this matter due consideration, the Common Council finds that this is in the best interest of the City of Peekskill to accept this donation; and

WHEREAS, this Common Council authorizes the acceptance of donation.

NOW THEREFORE, BE IT

RESOLVED, the City of Peekskill Common Council accepts the donation of a sailboat; and be it further

RESOLVED, that the sailboat will be used as a teaching tool for the Youth Bureau's Rising Tide Boatbuilding Program; and be it

RESOLVED, that this Resolution take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-11 - Pugsley Park change order

Councilman Douglas moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS FOR BID 2023-002 "ENHANCEMENTS TO PUGSLEY PARK"

WHEREAS, the City entered into a contract with Con-Tech Construction Technology, Inc. (“Con-Tech”) in an amount of \$1,071,750 to construct improvements to Pugsley Park in accordance with Bid 2023-002; and

WHEREAS, Con-Tech and City Staff have agreed that the cost of electrical service and lighting items in Bid 2023-002 can be reduced by substituting certain lengths of rigid metal conduit with PVC schedule 40 conduit; and

WHEREAS, Con-Tech and City Staff have agreed that the cost of water service items in Bid 2023-002 can be reduced by substituting 4” ductile iron pipe with 1” K-type copper line; and

WHEREAS, Con-Tech received revised pricing for the garbage and recycling receptacles specified in Bid 2023-002; and

WHEREAS, the City waived certain permit fees for this project; and

WHEREAS, installing certain lengths of 6” SDR 35 pipe underneath new concrete pathways would facilitate the future installation of sanitary sewer service in the park without requiring major excavation work; and

WHEREAS, certain changes to the stabilized stone pathways items in Bid 2023-002 are necessary to comply with supplier specifications; and

WHEREAS, these changes and related work within Bid 2023-002 will result in expected cost savings to the project.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager is authorized to approve change orders for Bid 2023-002 related to electrical and lighting, water and sewer service, and stabilized stone pathways; and be it further

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-12 - Metro North Lease Agreements for Public Artwork

Councilman Fassett moved to adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND LEASE AGREEMENTS WITH METRO-NORTH FOR PUBLIC ARTWORK AT COMMUTER PARKING FACILITIES

WHEREAS, the City entered into a lease dated August 13, 1991 by and between the Metro-North Commuter Railroad Company (“MNR”) and the City of Peekskill for the operation of approximately 16,300 square feet of commuter parking on the parcel of land located on the north side of MNR’s Peekskill passenger train station (“Lease 1”); and

WHEREAS, the City entered into a lease dated November 1, 1992 by and between the MNR and the City of Peekskill for the operation of approximately 24,000 square feet of commuter parking on the parcel of land located on the south side of MNR’s Peekskill passenger train station (“Lease 2”); and

WHEREAS, subsequent to the expiration of Lease 1 on June 30, 2001 and the expiration of Lease 2 on November 1, 2002 the City currently occupies both parcels on a month-to-month basis; and

WHEREAS, the City seeks to maintain certain illuminated art sculptures (the “Sculptures”), which will be installed on these parcels as part of the public art initiative known as “Enlighten Peekskill;” and

WHEREAS, the MNR requests that the design and location of the Sculptures be subject to prior written approval by the MNR.

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager is authorized to enter into amendment agreements to Lease 1 and Lease 2 with the MNR which permit the City's maintenance of the Sculptures after installation upon prior written approval of the MNR; and be it further

RESOLVED, that this Resolution shall take effect immediately.

It was seconded by Councilman Fernandez and unanimously passed.

Resolution #J-13 - PRD & WF- PRD Zoning Text Amendments – Set Public Hearing

Councilwoman Talbot moved to adopt the following resolution:

**RESOLUTION SCHEDULING A PUBLIC HEARING ON
LOCAL LAW № OF 2023 AMENDING SECTIONS 575-28, 575-43, AND 575-60
OF THE CODE OF THE CITY OF PEEKSKILL**

WHEREAS, pursuant to Section 575-58 of the City of Peekskill Code, the Zoning Ordinance may be amended, supplemented or repealed by the Common Council on its own motion or upon recommendation by the Planning Commission or on petition, and such proposed amendments shall be referred by the Common Council to the Planning Commission for a report, and a Public Hearing shall be held; and

WHEREAS, a petition has been received from Chateau Rive Tower LLC (Chateau Rive), 79 E. Putnam Avenue, Greenwich, CT 06830 to amend the Zoning Ordinance with a zoning text amendment for properties in the PRD (Planned Residential Development) and WF-PRD (Waterfront Planned Residential Development) zoning districts; and

WHEREAS, Chateau Rive is requesting this amendment for the opportunity to exceed the current maximum density in the PRD zone in order to construct additional residential units within the existing Chateau Rive historic structure; and

WHEREAS, the proposed zoning text amendment will allow the Common Council to consider a Special Permit to exceed the maximum density of nine dwelling units per acre for historic and landmarked structures within the PRD and WF-PRD zones.

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 27th day of November 2023 via videoconferencing and in person in the Common Council Chambers at City Hall, 840 Main Street, Peekskill, New York, on a proposed Local Law entitled:

**LOCAL LAW № OF 2023
AMENDING SECTIONS 575-28, 575-43, AND 575-60
OF THE CODE OF THE CITY OF PEEKSKILL**

and be it further

RESOLVED, that the City Clerk shall 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.

It was seconded by Councilman Fernandez and unanimously passed.

Resolution #J-14 - Tax Certiorari Settlement

Councilman Douglas moved to adopt the following resolution:

**RESOLUTION SETTLING TAX CERTIORARI WITH
PEEKSKILL HEIGHTS, INC.
312 Washington Street, Peekskill, NY (32.12-11-11)

FOR TAX YEARS 2021 AND 2022**

WHEREAS, THREE TWELVE WASHINGTON GROUP, INC. filed tax certiorari petitions; and

WHEREAS, the City of Peekskill is in receipt of a Stipulation of Settlement reducing the assessment of property owned by Three Twelve Washington Group, Inc. as follows:

312 Washington Street (32.12-11-11) Three Twelve Washington Group, Inc.						
Year	Tax Year	Ass'mt	Reduced	New Ass'mt	Tax Rate	Refund
2021	2022	\$19,500	\$8,600	\$10,900	308.19394	\$2,650.47
2022	2023	\$19,500	\$8,600	\$10,900	311.18101	\$2,676.16
Total						\$5,326.62
Refund						

WHEREAS, funds will be made available through Budget Line # 001.1900.1930.0200.

NOW THEREFORE BE IT

RESOLVED, that the Common Council of the City of Peekskill hereby approves the settlement on behalf of the City of Peekskill of the tax review proceedings by THREE TWELVE WASHINGTON GROUP, INC., by reducing the assessments as previously shown; and be it further

RESOLVED, that the City Manager, the Comptroller, the City Assessor and the Corporation Counsel are hereby authorized to take all action necessary and appropriate to effectuate the terms of this Resolution including but not limited to the execution of the Stipulations, obtaining Orders from the Westchester County Supreme Court embodying the above settlements and a refund or crediting of tax payments all in accordance with the above authorized settlement for THREE TWELVE WASHINGTON GROUP, INC.; and be it further

RESOLVED, that this Resolution take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-15 - Request to bid Ice and Snow Removal Services

Councilman Douglas moved to adopt the following resolution:

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PEEKSKILL
AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO REQUEST BIDS FOR**

**SNOW REMOVAL FROM PRIVATELY MAINTAINED SIDEWALKS IN THE CITY OF
PEEKSKILL**

WHEREAS, by request of the Common Council, timely snow removal from privately maintained sidewalks in the City of Peekskill is desired; and

WHEREAS, pursuant to Chapter 474 of the Peekskill City Code, it is the responsibility of the occupant, lessee or owner of real property in the City of Peekskill to remove all snow and ice from the sidewalk in front of or adjacent to such premises after accumulation of snow or ice; and

WHEREAS, pursuant to Chapter 474 of the Peekskill City Code, where an occupant, lessee or owner of such property fails to remove snow and ice within certain time periods as specified in the City Code, the Director of Public Works may cause such sidewalk to be cleaned of snow and ice; and

WHEREAS, should the snow and/or ice removal be performed by or on behalf of the City pursuant to Chapter 474, the property owner shall be responsible for payment of any costs, together with a 25% administrative fee; and

WHEREAS, the Director of Public Works recommends that the City request bids for two (2) separate standby snow removal contracts; and

WHEREAS, one bid would cover residential locations and the other bid would cover commercial/industrial locations; and

WHEREAS, upon receipt of all bids, the City will seek to award the project to the lowest responsible bidder.

WHEREAS, there is sufficient funding in account 001.5142.0101 to fund these payments until payment is received.

NOW, THEREFORE BE IT

RESOLVED, that the Director of Public Works is authorized to request bids for two standby snow removal contracts to remove snow from privately maintained sidewalks in accordance with Chapter 474 of the Peekskill City Code; and be it further

RESOLVED, that the bid documents shall be subject to the review and approval by the City Manager and Corporation Counsel; and

RESOLVED, that the Resolution take effect immediately.

It was seconded by Councilman Fernandez and unanimously passed.

Resolution #J-16 - Request to bid Time and Material Services

Councilman Fernandez moved to adopt the following resolution:

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF PEEKSKILL
AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO REQUEST BIDS FOR
TIME & MATERIAL FOR VARIOUS SERVICES FOR THE CITY OF PEEKSKILL**

WHEREAS, the Director of Public Works would like to go out to bid for Time & Material for the following services (a contract expense line, designated to the correct fund and department, 0459 and 0475).

Licensed Electrician

Licensed Plumber

Security Camera Equipment and Services

Traffic Signal and Pedestrian Single Services

On call excavator, truck, & other equipment, services

Pest Control Services; and

WHEREAS, the contractor(s) that are awarded these bids would be on contract with the City of Peekskill to provide the associated services; and

WHEREAS, the Common Council of the City of Peekskill finds this in the best interest of the City.

NOW, THEREFORE BE IT

RESOLVED, that the Director of Public Works is authorized to request bids for Time & Material for the various services listed above; and be it further

RESOLVED, that the bid documents shall be subject to the review and approval by the City Manager and Corporation Counsel; and

RESOLVED, that the Resolution take effect immediately.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-17 - Stop DWI HVEC

Councilwoman Talbot moved to adopt the following resolution:

**RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE
TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH
WESTCHESTER COUNTY IN ORDER TO PARTICIPATE IN THE WESTCHESTER
COUNTY STOP-DWI PATROL/DATAMASTER PROJECT**

WHEREAS, the City of Peekskill Police Department currently participates in the “Westchester County STOP-DWI High Visibility Enforcement Campaign” which will expire on September 30, 2023; and

WHEREAS, the City of Peekskill Police Department has been invited by the Westchester County Executive, George Latimer, to participate in the “Westchester County STOP-DWI High Visibility Enforcement Campaign”, for a one-year period starting on October 1, 2023; and

WHEREAS, the purpose of the “Westchester County STOP-DWI High Visibility Enforcement Campaign” is to reimburse the city for overtime expenditures not to exceed a maximum of Five Thousand Dollars (\$5,000.00) per year for work performed, dedicated to

enforcement of New York State Driving While Intoxicated laws, during the period October 1, 2023 thru September 30, 2024; and

WHEREAS, in order to participate in the “Westchester County STOP-DWI High Visibility Campaign” and to receive expenditure reimbursement, the City of Peekskill and the County of Westchester must enter into an Inter-Municipal Agreement; and

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager or his designee is hereby authorized to enter into the Inter-Municipal Agreement with the County of Westchester and to execute any and all documents required to receive the reimbursement funds for personnel hours spent in furtherance of the project during the period October 1, 2023 thru September 30, 2024; and be it further

RESOLVED, that the inter-Municipal Agreement shall be subject to the review and approval of the Corporation Counsel and City Manager; and be it further

RESOLVED, that this Resolution shall take effect immediately.

RESOLVED, that the grant funds shall be deposited into Account No. 001.3120.0120.

It was seconded by Councilman Fernandez and unanimously passed.

Resolution #J-18 - Stop DWI

Councilman Fernandez moved to adopt the following resolution:

**RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE
TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH
WESTCHESTER COUNTY IN ORDER TO PARTICIPATE IN THE WESTCHESTER
COUNTY STOP-DWI PATROL/DATAMASTER PROJECT**

WHEREAS, the City of Peekskill Police Department currently participates in the “Westchester County STOP-DWI Campaign” which will expire on September 30, 2023; and

WHEREAS, the City of Peekskill Police Department has been invited by the Westchester County Executive, George Latimer, to participate in the “Westchester County STOP-DWI Campaign”, for a one-year period starting on October 1, 2023; and

WHEREAS, the purpose of the “Westchester County STOP-DWI Campaign” is to reimburse the city for overtime expenditures not to exceed a maximum of Five Thousand Dollars (\$5,000.00) per year for work performed, dedicated to enforcement of New York State Driving While Intoxicated laws, during the period October 1, 2023 thru September 30, 2024; and

WHEREAS, in order to participate in the “Westchester County STOP-DWI Campaign ” and to receive expenditure reimbursement, the City of Peekskill and the County of Westchester must enter into an Inter-Municipal Agreement; and

NOW, THEREFORE, BE IT

RESOLVED, that the City Manager or his designee is hereby authorized to enter into the Inter-Municipal Agreement with the County of Westchester and to execute any and all documents required to receive the reimbursement funds for personnel hours spent in furtherance of the project during the period October 1, 2023 thru September 30, 2024; and be it further

RESOLVED, that the inter-Municipal Agreement shall be subject to the review and approval of the Corporation Counsel and City Manager; and be it further

RESOLVED, that this Resolution shall take effect immediately.

RESOLVED, that the grant funds shall be deposited into Account No. 001.3120.0120.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-19 - Override Tax Cap for 2023

Councilwoman Talbot moved to adopt the following resolution:

**RESOLUTION
TO OVERRIDE THE NYS TAX CAP WHEN ADOPTING THE
2024 CITY OF PEEKSKILL BUDGET**

WHEREAS, 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 by General Municipal Law § 3-c; and

WHEREAS, a public hearing to adopt a budget that overrides the NYS Tax Cap was scheduled for November 13, 2023 by resolution J-5 on October 23, 2023; and

WHEREAS, this resolution is 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 resolution approved by a vote of sixty percent (60%) of said governing body; and

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

WHEREAS, 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; and

WHEREAS, the Common Council budget presented on November 1, 2023, reflects a tax levy of \$19,146,032; and

WHEREAS, the levy of \$19,146,032 is an increase of \$653,032 over the prior year levy of \$18,493,000; and

WHEREAS, an increase of \$653,032 represents an increase of 3.53% in the tax levy; and

WHEREAS, the levy percentage increase allowable under the NYS Tax Cap Law for the 2024 Operating Budget is 1.77% as calculated by the New York State Office of the State Comptroller; and

WHEREAS, the levy increase of 3.53% exceeds the allowable levy increase of 1.77%.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Peekskill is authorized to adopt the 2024 Operating Budget that includes a tax levy in excess of the NYS Tax Cap of 1.77%.

It was seconded by Councilman Fassett and unanimously passed.

Resolution #J-20 - Common Council Budget 2024

Councilman Fassett moved to adopt the following resolution:

**RESOLUTION ADOPTING THE CITY OF PEEKSKILL
2024 OPERATING BUDGET**

WHEREAS, pursuant to the Charter of the City of Peekskill, estimates of budget requirements for the year 2024 have been certified to the City Manager by the various departments, officers, agencies, and boards of the City of Peekskill; and

WHEREAS, the City Manager did review the aforementioned estimates with the various departments, officers, agencies, and boards; and

WHEREAS, the City Manager did prepare a recommended budget for the year 2024 based on these aforementioned reviews, which recommended budget was submitted to the Common Council on or before October 1, 2023; and

WHEREAS, the Common Council made changes to the City Manager Budget and their changes were presented as the Common Council Budget on November 1, 2023; and

WHEREAS, the Common Council budget presented on November 1, 2023, was subject to a public hearing; and

WHEREAS, subsequent to a notice of public hearing being published in the official newspaper in compliance with provisions of the City Charter, a public hearing was duly held on November 13, 2023; and

WHEREAS, the Common Council reviewed the City Manager's recommended budget and has, with the assistance of the City Manager and the Comptroller, prepared an amended Budget for the 2024 fiscal year. The Common Council budget increased the tax levy from \$18,493,000 to \$19,146,032 and the tax rate from \$289.14 to \$296.72; and

WHEREAS, after the public hearing, the Common Council reviewed the Common Council budget and has, with the assistance of the City Manager and the Comptroller, prepared an amended Budget for the 2024 fiscal year; and

NOW, THEREFORE, BE IT

RESOLVED, that the 2024 City Manager's budget as amended by the changes set forth on the attached Common Council Budget for the 2024 fiscal year be and hereby is adopted and declared to be the budget of the City of Peekskill for the year 2024; and be it further

RESOLVED, that the amounts of said budget appropriations, estimated revenues, and contributions from fund balances is \$51,028,233, be and are hereby appropriated as therein

specified in accordance with the provision of the Charter and Code of the City of Peekskill and General and Special laws of the State of New York applicable to said City; and be it further

RESOLVED, that the aforementioned general ad valorem taxes required to be raised for such budget purposes is \$19,146,032 require a tax rate of \$296.724108 per one thousand dollars of assessed valuation upon all taxable property of the City of Peekskill according to the valuation of the assessment roll for the current year; and be it further

RESOLVED, that the 2024 budget for the operation of the Water Fund is established at \$9,197,969; and be it further

RESOLVED, that the 2024 budget for the operation of the Sewer Fund is established at \$1,892,273; and be it further

RESOLVED, that the 2024 budget for the operation of the Section 8 Housing Fund is established at \$8,794,014; and be it further

RESOLVED, in accordance with the Charter of the City of Peekskill and on or before the date therein specified a warrant shall be issued to the Comptroller and delivered by the City Clerk to collect such taxes in accordance with the provisions of the Charter of the City of Peekskill applicable thereto, with penalties and interest therein provided.

It was seconded by Councilman Douglas and unanimously passed.

CITIZENS DESIRING TO BE HEARD

Leesther Brown – inquired about the Community Kitchen Pilot Program.

Response by City Manager.

M. Rivera - 1225 Main Street- problems at her resident involving volleyball games. She was instructed by the court she could no longer have volleyball games at her residence.

Response by City Manager.

Mother-in- law to Mrs. Rivera- suffering because her nieces and nephews can no longer come to play together and the loss of her son.

Daniela Hernandez- 606 South Street- problem at the Flea Market. She is in support of friend, Jenny Pugg, who had to leave.

Spanish speaking (no name given) – 951 Main Street - in support of Mrs. Pugg. She wants to go back and sell at the Flea Market.

Deputy Mayor Riley asked Mrs. Hernandez to provide her contact information to the Clerk.

Asia Murrell- 1016 Brown Street – issued violation for her business that stated it was operating as a night club.

Carol Dunkley – Peekskill resident (no address given) - in support of Asia Murrell. She extended an invitation to attend Pre-Thanksgiving Dinner on Memory of Officer Greg Jones.

Rev. Steve Dunkley – inquired about the training for the community program and the parking hearing officer position. He provided email address to Matt Alexander to email an application.

DTHenry emailed Public Comment for Non- agenda item (see attached).

Announcements by Deputy Mayor Riley and Councilwoman Talbot.

ADJOURNMENT

Motion made by Councilwoman Talbot to move to Executive Session, seconded by Councilman Fernandez and unanimously carried.

Deputy Corporation Counsel read the Executive Session wording. This portion of the meeting adjourned at 9:13pm.

Respectfully submitted,

Cassandra Redd, MPA
City Clerk

Redd, Cassandra

From: dthenry@optonline.net
Sent: Monday, November 13, 2023 9:20 AM
To: Redd, Cassandra
Cc: McKenzie,Vivian; Alexander, Matthew
Subject: November 13, 2023 Public Hearing

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

Good evening,

I'd like to start off with my previous comment that has not been responded to - this was submitted on 9/25/2023:

*** Upcoming Budget: I understand, from Mr. Alexander's comments, that healthcare premiums will significantly increase. What is the City's percentage contribution to the monthly premium (as a total % and then broken down by union non union, administrative, etc)?

Has the City developed a necessary/discretionary list of positions and activities? This is a common business practice and is helpful in reviewing expenses as well as identifying critical areas of concern and potential overlap.

I sent this question to the Finance Department. Again, it has not been responded to - this was submitted on 11/9/2023.:

The City's response as to where to direct questions said I should directly contact the Department Head.

I have a couple of questions on the 1% transfer tax to pay off the \$12M debt incurred for the new Fire House.

1) Is this transfer tax applied to all City properties or is it limited to single family residences, as an example?

2) Is there a balance sheet available, since the inception of this tax, that indicates by year the \$ collected and what \$ amount was applied to the principle and/or interest?

3) What is the interest rate on this loan?

My other question is about grants. Is there a balance sheet required by Department Heads as to who/where the \$ were spent and reconciling to the grant amount.?

I did attempt to research this on the City's website but the new "search feature" does not produce what I am looking for. Therefore, any assistance you can provide would be appreciated.

Thank you.

Once again and please, I am requesting how to get a taxpayer's question(s) answered.

Redd, Cassandra

From: dthenry@optonline.net
Sent: Monday, November 13, 2023 11:05 AM
To: Redd, Cassandra
Cc: McKenzie,Vivian; Alexander, Matthew
Subject: Re: November 13, 2023 Public Comments on Non Agenda t

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

Good evening,

Regarding the City's "new" website, I find it less efficient. Please count the # of clicks one has to make to locate the City Manager's email address (not his secretary) or locate the anonymous tip line for the Police Department. It is very clumsy to use and nowhere near what other municipalities have (please head over to New Castle's website and done with grant \$ I think).

Thank you for posting the most recent Common Council minutes. However, I did a search for "dthenry" and 0 (no results) appeared. So the search feature does not include minutes? Please, a better job can be done.

I no longer frequent the downtown establishments. It reeks of cannabis as well as not finding convenient handicap parking spaces. It is truly sad and a problem when I and my neighbors feel the same.

There are many hanging in the air issues that have been mentioned at your meetings. Here's just a few off the top of my head:

Where's the status update/key issues from Honeywell = we were told this would occur and it hasn't happened.

Mr. Alexander referenced a written report, containing statistical data, on the "Quality of Life" Committee = did I miss it?

You have continually postponed taking action on the senior citizen taxi cab problems = when will this be resolved?

Mr. Alexander mentioned earlier this year there would be a proposal for outdoor dining requirements and in response to the City's liability and responsibility. Has this been done?

One question I have not asked -- is cannabis smoking allowed on City property?

I regret being cynical, but I fully expect this email, along with all others, to be placed in the trash. This is very sad.

Thank you