



Peekskill Business Improvement District
Board of Director's Meeting Minutes
Tuesday, May 5, 2020 @ 6pm
Via ZOOM

Board Members Present: Brian Fassett, Ann Scaglione, Matt Rudikoff, LaFern Joseph, Cynthia Del Rosario, Ivy Fairchild, David Kaminsky, Larry D'Amico, Vanessa Agudelo, Brendon Fitzgerald, Monique Michaels, Executive Director Bill Powers.

Call meeting to order - President Fassett called the meeting to order at 6:02pm and noted that the BID was meeting via Zoom for the first time ever.

Moment of Silence in Recognition of the Passing of Larry D'Amico's Mother – Pres. Fassett offered a moment of silence for the passing of Board Member Larry D'Amico's mother.

Acknowledge Cancellation of April Meeting – Pres. Fassett Acknowledged the cancellation of the April 2020 BID Board of Directors meeting because of the Covid-19

Results of Executive Session held on March 3, 2020 – Pres. Fassett noted that the Board had discussed the contract of Corinna Makris for the Peekskill Farmers market. After discussion, the board made an offer to Ms. Makris to continue on March 9, 2020, and March 31, the BID received a letter from Ms. Makris of non-renewal, and she essentially walked away from negotiations. Ms. Makris was invited back to speak to the board directly to present an updated proposal and an updated contract and options and the board will be allowed to ask questions, and then the board will continue on with the agenda.

Peekskill Farmers Market Manager Proposal to Board – Pres. Fassett introduced Ms. Makris to make her presentation.

Vice President Fitzgerald joined the call.

Ms. Makris thanked the board for making time for her. Ms. Makris gave a history of her tenure as farmers market manager; she noted she came on in 2014 and noted that the board then had considered shutting down the market; there were six or seven vendors and she was asked to triple the size of the market; she said she had done that since 2014. She stated that she had submitted another plan to again triple the size of the market and she said that had been approved, and she was planning to move the market to the Bank Street parking lot. She stated that she would have had forty vendors in the first year, but noted that she had lost some of them by now. She noted an income of \$58,000 and that she felt \$30,000 was a reasonable salary request, further noting that the rate was a standard rate for manager running market of that size. She noted the additional work that would be required under COVID-19. She stated, "I love my job, I want to continue to do my job, but I can't do it for \$14K a year." She stated that with the number of hours required to make the market successful, she claimed she was making less than minimum wage. She stated she just wanted to be paid fairly for the work she does. Ms. Makris completed her presentation and opened the floor to questions from the board. Secretary Joseph asked, why did you send a non-renewal notice to us, it sounded like if the BID didn't agree to your terms and do things the way you wanted, you were leaving. Ms. Makris stated that she did not know what Sec. Joseph was talking about. Sec. Joseph asked to finish her question and she read Ms. Makris' response to the BID's proposal. Sec. Joseph stated that it seemed to her that Ms.

Makris, when notified that the BID did not have the funds to give her, she interpreted that to mean Ms. Makris' response was to leave, and when Ms. Makris left, she went to the city and started a whole different campaign. Sec. Joseph asked, "why did you do that?"

Board Member Monique Michaels joined the call.

Ms. Makris asked Sec. Joseph if she had seen the counteroffer from the BID. Sec. Joseph said she had seen the offer and noted that the BID was willing to come back to the table, but stated: "you walked away."

Ms. Makris stated that the counteroffer was "deeply hurtful" and that she felt she "was being asked to leave." She stated that she had not received any increase in her compensation, noting the BID's refusal to take its share of the revenue and put it into the following year's market expenses. Ms. Makris stated that she "takes all the financial risk in operating the market." She re-stated her request for a reasonable wage, noting that the \$3,000 increase was not reasonable.

Board Member Del Rosario questioned Ms. Makris about the liability, noting that she believed the BID takes on the liability and she also noted that Ms. Makris works on other farmers markets. Ms. Makris responded that she is only talking about the time it takes to run the Peekskill market, and she clarified that she was referring to financial risk, not liability, noting that she had received a base salary of \$7K and the market makes that in a few weeks.

Board Member Ivy Fairchild noted that she is contractor and that at the end of a contract she re-negotiates her contract if she's not satisfied with it, or she walks away, but she doesn't go above their heads to get a better contract. That leaves a "very bad taste in my mouth." She further stated that she did not want to do business with someone who goes to someone else every time there's a disagreement. If the market flourishes, all the money doesn't have to go to the market manager, but that you should negotiate a new contract.

Ms. Makris said she agreed, noting that she has only dealt with Executive Director Powers, and stated that he agreed that she was underpaid. She related Mr. Fassett's comments to her that Executive Director Powers had never brought her concerns forward, and "then I found out that he was getting a secretary, and I kinda lost my mind." She further stated that there have been no complaints about her work, or the market and she stated that she put the market on the map, and now has relationships with reporters and is promoting the market. "Seven years is a long time to wait to be acknowledged," stated Ms. Makris. She stated that Ex. Director Powers has not represented her interests to the board and when she approached the board directly, she was rebuffed again. Ms. Makris suggested that the BID could at least put the farmers market name on flower barrels so that she could get recognition for "what I did for the community."

Board Member Fairchild acknowledged Ms. Makris' passion for the market as "her own" but she expressed concern that the market was not the BID's. Ms. Makris expressed concern over how the BID board oversees the market, noting that other markets are run by Boards whose only focus is the market. Ms. Fairchild stated how the market is governed is not important. Board Member Fairchild stated "at the end of the day this is the Peekskill BID's Farmers Market, it is not Corinna's Farmers Market."

Pres. Fassett asked Ms. Makris, "how many signed contracts have you had in seven years?" Ms. Makris

responded "six." "So you've signed an agreement for six years and agreed to what you were being paid?" Ms. Makris responded, "I did."

Pres. Fassett noted that any time Ms. Makris brought something to his attention, he brought it to the board, to bring transparency. He acknowledged that the board had received Ms. Makris proposed contract which was "wildly different than where we were at," brought it to the board, and had an executive session and it was discussed.

Vice Pres. Fitzgerald asked what the percentage that Ms. Makris was asking for. She could not give the percentage. Vice Pres. Fitzgerald noted that the board made an offer and that Ms. Makris declined. Vice President Fitzgerald then asked, "your next steps were to go to City hall and take over the Farmers Market from the BID, correct?" Ms. Makris said, "Yes." he noted the City Council has nothing to with the BID or the farmers market.

Vice Pres. Fitzgerald asked, "is there a Facebook page for this farmers market and who does that belong to?"

Ms. Makris stated, I created all the social media and I believe it belongs to me."

Board Member Fairchild stated, "No, it doesn't belong to you! It belongs to the market. It doesn't belong to you."

Ms. Makris stated, "OK, then we'll have to continue that conversation."

"These actions don't make me feel comfortable paying you as a contracted employee and get told, maybe you'll get the product, maybe you won't."

Ms. Makris and Vice Pres. Fitzgerald agreed that Ms. Makris has run a great farmers market, and then she asked how the board came to her compensation level, again, noting that it was only bringing her up to county standards. Mr. Fitzgerald stated in addition to the salary increase he felt there were other issues that he did not agree with.

Board Member Fairchild stated that she lost confidence in Ms. Makris because she walked away from the contract, went to the city council to run the market on her own. Ms. Makris stated that "the confidence broke down a while ago. I don't feel very good about working with the BID." She again stated that she was hurt by the fact that her concerns were not brought to the attention of the board.

Treasurer Scaglione thanked Ms. Makris for attending the meeting, noting Ms. Makris runs a great market, but that success is everyone's participation, not just one individual. Treasurer Scaglione noted that the country is in a global crisis with COVID-19, that the BID wants a successful farmers market, and asked, "can we negotiate with you" and Ms. Makris said, "of course." Treasurer Scaglione noted that the Board's counter-proposal was approved unanimously, and she apologized if the counter-proposal offended Ms. Makris. Ms. Makris revisited her proposal asking again for free promotion of what she has been doing, and asking for mutual event insurance. She stated that every single item was either re-written or removed so that the burden was on Ms. Makris, she said. She also stated that she was looking for some gesture to be valued as a team member.

Board Member Del Rosario apologized to Ms. Makris for feeling hurt, noting that she had just joined the board. She stated that she appreciated the farmers market and Ms. Makris' work on the market. She also stated that she appreciated Ms. Makris' taking ownership of the market, but that it is the

BID's market. Board Member Del Rosario offered to serve as a liaison between Ms. Makris and the Board and strive for a committee of people who could work with Ms. Makris, and the board. She stated that there has to be a clear process, and she expressed her concerns over Ms. Makris' attempt to walk away from the BID and go to the city, she noted that in the business world, she would not have been invited to the call. Board Member Del Rosario stated that there may be some hesitation with some board members and that the board may not be able to trust Ms. Makris because of that.

Pres. Fassett asked Ms. Makris why there is no revenue stream for the BID? Ms. Makris stated that the BID never took revenue from the market until she was hired, stating that market managers were volunteers, charge what you want and keep whatever is left over for yourself. When hired Ms. Makris stated that the previous executive director and board said they had never hired anyone before for the market and they were unsure how it would work out; she was offered \$7K plus 50% of year-end profit. She said she expressed doubt that that was enough for her salary. Ms. Makris stated that the board approved that the BID's profit would be used for the following year's market expenses. She then stated that Mr. Powers was hired and he decided to do things differently.

Board Member Agudelo asked what the hindrance was to setting up a SNAP program. "Bill asked me not to," was her response. She stated that she had been "begging" to start the SNAP program because it was necessary to bring in bigger farms and serve the estimated 2,000 people, mostly Spanish speaking, who receive SNAP benefits in Peekskill.

Board Member Agudelo asked if any grants had been applied for, and Ms. Makris said she had filled out one small grant application of \$50 and it helped pay for expenses.

Board Member David Kaminsky noted that the BID Board relies on Ex. Dir. Powers to handle oversight of the market, and he asked, "Are you confident that you can work with Bill." Ms. Makris' response was "No, absolutely not! I can't work with Bill."

Vice Pres. Fitzgerald presented the financial information regarding Ms. Makris's contract: she received \$7K in base and \$7,800 in bonus in 2019 and Ms. Makris asked for a base of \$30K plus \$7,800. Ms. Makris noted that that was based on a \$58,000 market income. Ms. Makris was asked what base salary would you want and she stated it was dependent on moving the market to the Bank Street lot and whether there are enough vendors to support it.

Board Member Fairchild expressed doubt that that board hadn't seen Ms. Makris previous contracts, and she expressed concern about how profitable the market would be if it does not move to the parking lot. Ms. Makris stated that it would be the same numbers as last year.

Pres. Fassett thanked Ms. Makris for speaking to the board and noted that the board would have to deliberate and stated that he would get back to her. Ms. Makris thanked the board for hearing her concerns.

BID Member Public Comment – Executive Director Powers stated that he did not receive any correspondence from BID members.

Request Approval of March 3, 2020 Meeting Minutes – Secretary Joseph requested approval of March 3, 2020, Meeting Minutes, seconded by Board Member Del Rosario; Board Members Rudikoff and Fairchild abstained, all others in favor.

Conversion of Esther Street to Public Park – Conor Greene & Joe Thompson of Peekskill Walks

presented a plan to close Esther Street and convert it into a Park. Mr. Greene stated that cities are going to have to adjust to the new normal, enough space to come downtown and provide restaurants with outdoor space when their capacity is cut. Esther Street can provide outdoor space for people to walk and gather. Other sidewalks downtown are too narrow for tables and chairs. People can wait for to-go orders or wait for reservations to be called at a local restaurant. Could do this immediately and build out this public space over time. Mr. Greene showed renderings created by Mr. Thompson. Could allow for a walk up winder at Peekskill Coffee House to accommodate people who won't feel comfortable going inside for a while. In addition to three parking spaces, there is a loading zone in front of the Bean Runner. By closing Esther, two new spaces would be created on Brown. Bean Runner has a concern about keeping the one space in front of their building, and the PCH has concerns over deliveries. Concerns about traffic were addressed, the committee has an expert that is working with them; some concern about the No Left Turn at Brown and Division may have to be removed. Good for pedestrian safety because drivers drive down Esther and frequently run the stop sign to avoid the light. Peekskill needs to build on strengths said, Mr. Greene. Mr. Rudikoff asked if the closing of Esther Street is intended to be year-round and Mr. Greene replied, yes, try it for the summer and fall, and then move towards making it a permanent public park.

Board Member Del Rosario likes the idea and suggested closing one of the parking lots for a short period of time to serve food. It might be time to take advantage of more outdoor dining since most people are not going to want to sit next to each other inside. People can take their take out and sit in the downtown. Ex. Dir. Powers noted that this is the kind of initiative that other BIDs, the state, and the state restaurant association is looking to do all over New York State. Mr. Powers asked how much this would cost. Mr. Greene stated they are trying to pursue some grant opportunities, and they are trying to create a budget. The budget could be phased in over time. Ex. Dir Powers asked the board if they would support his writing a letter of support for the project. Mr. Greene accepted the offer stating that he thought the city would look to the business community for advice and that a letter would help in terms of grant applications. Mr. Greene also stated that the need for more restaurants seating and tables is a good thing in parking lots, even though parking is always an issue.

Board member Kaminsky asked how the BID would handle other businesses saying that the closure of Esther Street doesn't do anything for them if they are two blocks over. He said that this is an opportunity to review all the public spaces and streets and sidewalks and how it is allocated and can be re-allocated to help other businesses. The point is that there are ways to accommodate all businesses and expand opportunities for all businesses, ie parklets, etc. Make it safe and walkable.

Vice Pres. Fitzgerald, stated he loved the idea; street thru not necessary; parking spaces are wash; only concern is the businesses that need to have access for delivery. He said he supports the plan and suggested that the BID give some money towards this project, would not want to be responsible for table cleanup or garbage cleanup.

Board Member Rudikoff asked if the Police, Fire, and DPW could look at the plan and advise. Mr. Greene said yes. Expects to submit proposals to the city soon.

Board Member Agudelo thanked Mr. Green and Mr. Thompson and stated she liked the idea. Advised Mr. Greene that if he got the OK from the businesses along that street, the city council would support the plan.

Pres. Fassett thanked Mr. Greene and Mr. Thompson.

Policy: Post ZOOM meeting recording or printed minutes to website – Pres. Fassett asked the board for direction on how to conduct BID meetings via Zoom since it limits the number of people who can participate and noted that there is ambiguous advice on how to proceed from NYCOM. He asked if the board wanted to post the video recording of the Zoom meeting and/or written minutes.

Vice Pres. Fitzgerald asked if the BID had to post the video of the meeting. Ex. Dir. Powers said that the guidance was ambiguous, but that it was the board's to develop the policy. Board Member Fairchild asked why the BID wouldn't open the meetings to BID members; Vice Pres. Fitzgerald expressed concern over the numbers of people stating that the process is manageable when you have a few people attending the meeting but expressed concern if there are a large number how that would be managed. He suggested putting non-board members on mute, possibly require registration, policy. Vice Pres. Fitzgerald said he had no issue with putting the video on our website; Board Member Agudelo stated that the BID should make the meetings as accessible as possible to BID members. Suggested sending out tall BID members so they can re-watch, but in future find a way to include BID members on the Zoom call. The Board voted to post the video, all were in favor.

Replacement of Board Member Michael Hagerty by Matthew Rudikoff – Pres. Fassett thanked Michael Hagerty for his service to the board and announced that Mathew Rudikoff will be taking Mr. Hagerty's spot on the board. Pres Fassett welcomed Mr. Rudikoff, who said he was honored to be working with the board, and that he represents the city manager.

Food Pantry Project – Board Member Del Rosario presented the board with a concept and a non-profit group that converts shipping containers into Solar Food pantry refrigerated units to store food, which is a big concern in some communities; they use solar panels; it allows for food distribution of perishable foods to those in need. She showed a video about the project. They would need a location and some volunteers. There is a lot of food distribution going on now. She noted that there needs to be better communication on the food distribution, times, and sites. The group has a lot of connections with celebrities. If we can provide a location and volunteers, the project could move forward. Board Member Fairchild asked who would coordinate, Pres. Fassett said it would have to be the BID Board. Sec. Joseph said she would be willing to volunteer. There are many around the country now. Board Member Fairchild stated that it is going to take someone to manage the initiative. Board Member Agudelo suggested if anyone wants to do food distribution, it can be coordinated through City Hall. Mr. Powers shared the concern that was expressed to him by the City manager that there should be better coordination and promotion of the various food distributions. Treas. Scaglione stated that the city was unable to certain food deliveries because it had nowhere to store perishables and that this could be a good solution. Ex. Dir. Powers stated that we should check with CHHOP and others first to see if there is a need and perhaps they could help manage the process, as opposed to the BID Board taking responsibility; Board brimmed Del Rosario stated that the BID could help market the availability of the food, not manage the distribution. Board Member Rudikoff suggested Board Member Del Rosario call or text Jonathon who coordinates the city's food distribution efforts.

Hanging Flower Baskets – Pres. Fassett stated that the BID purchased 50 dual brackets that will allow two baskets to be hung on each pole; they were delivered to the city at the end of March and all the materials except the flowers are all here. Brian sent tips on how and what to plant from the manufacturer and he has completed the map identifying the locations where the city will place them in the BID area on the decorative acorn light poles. He also re-sent the banner placement locations for

the five different decorative banners. He wants the AIM banners taken down since the event did not happen, and may not happen. Pres. Fassett also said that the BID will have to develop a process to remove the ground flower barrels at some point since they will not be planted this year. Treas. Scaglione will take care of the four outside city hall and Pres. Fassett will create a map of which ones will be kept and maintained by others. If anyone wants to keep theirs, please let Pres. Fassett know. Board Member Fairchild said she would adopt and care for a barrel in front of 1010 Park Street but noted it is no longer there. Pres. Fassett suggested that she adopt the triangle of flowers.

Harvest Festival/2020 Event Planning – Vice Pres. Fitzgerald suggested maybe we look to move up the Harvest Festival in light of the Coronavirus. Ex. Dir. Powers noted that the other BIDs from around the state are canceling any large events that bring people together until further notice. Pres. Fassett suggested we table this discussion. Vice Pres. Fitzgerald suggested that some of the funds allocated for the festival be diverted to other useful projects that would benefit the downtown like the Esther Street park. Pres. Fassett agreed, other communities he said are doing downtown bingo for example. To get people downtown for food take out. Board Member Fairchild suggested the BID do a banner to say thank you to first responders because they have so much food right now. Board Member Del Rosario asked how the restaurants have been doing with taking out. Pres. Fassett said it varies, sometimes they are slammed with orders, sometimes, nothing; weekends still seem to be the busiest. Owners are looking forward to reopening. Vice Pres. Fitzgerald proposed spending \$5K on restaurant food and other gift certificates that can be donated to first responders and get some good publicity to support some of the downtown restaurants. Board Member Del Rosario wants to see a plan for a Tuesday or Wednesday. Board Member Agudelo would want to leverage the dollars and ask for donations or possibly the grocery store clerks like at LaPlacita. Treas. Scaglione pointed out that city workers are not supposed to accept donations, and a similar program in her hometown did not go over well because all the businesses were not included. Maybe raffle off gift certificates. Pres. Fassett wants to have a plan before the money is spent. Identify which businesses are open and the money will go towards first responders and other essential businesses. All were in favor.

Executive Director's Report – Exec. Dir. Powers stated the restaurants are hanging in there, but are anxious to what the state and governor have planned for the reopening process. He stated that in other areas of the country, many restaurants refused to open at 25% capacity, the NYS Restaurant Association is hopeful NY restaurants can open at 50% or 75% capacity. He noted that upstate is going to open up first. He stated the statewide BID calls is participates in are useful, there are a lot of good ideas that are shared. He noted that the state restaurant association president joined the call last week and shared valuable information. He noted his weekly updates provide a lot of information.

Pres. Fassett thanked Ex. Dir. Powers for working “way overtime” throughout this pandemic, and the BID appreciates it, and Mr. Fassett said he appreciates it too.

Preparing for the reopening of downtown – Board Member Del Rosario said “we need to be prepared to reopen.” Businesses don't know what to expect. Perhaps the BID puts together guidelines or tips for reopening and share with businesses. Pres. Fassett asked Board Member Agudelo if the city was looking at reducing fines, or waiving ordinances, or permits.

Business Recovery Update – Board Member Rudikoff wanted to be on tonight's call to listen to what was happening. He noted that the chamber had conducted a survey on the current state of their business and there is some encouraging news and data. Vice Pres. Fitzgerald said the BID should

advocate for businesses and not wait for the government to tell them how to open. Board Member Del Rosario expressed frustration saying that a lot of people are making more money on unemployment and the stimulus so for now they are staying home and she can't hire staff right now. We have to proceed with caution as well. Board Member Agudelo suggested how to maximize opportunities to use public spaces. Pres. Fassett cautioned that we only have a part-time director so whatever the BID comes up with in terms of new initiatives needs to be managed. He urged the board to take on some of these activities. Vice Pres. Fitzgerald said he would start working on his initiative approved earlier.

Harriet Tubman Statue Tour Update – Pres. Fassett said the tour is still happening and that there may be some minor adjustments to the tour, but we should have the statue here for December 15 through February 28.

DRI Update – Pres. Fassett said that there is no update; the process is in a holding pattern, but the consultants are still working on fleshing out the plans. He questioned if the funds could be used more wisely in light of the COVID-19 situation.

Adjournment to Executive Session to discuss personnel matters/contract negotiations – Sec. Joseph made a motion to adjourn the meeting at approximately 7:50pm and go into executive session, seconded by Treas. Scaglione. All in favor.