



**Peekskill Business Improvement District**  
**Board of Director's Meeting Minutes APPROVED**  
**Tuesday, July 7, 2020 @ 6pm**  
**Via ZOOM**

**Board Members Present:** Brian Fassett, LaFern Joseph, Ivy Fairchild, Larry D'Amico, Vanessa Agudelo, David Kaminsky and Executive Director Bill Powers. Matt Rudikoff, Ann Scaglione, Monique Michaels, Brendon Fitzgerald and Cynthia Del Rosario joined the meeting in progress. BID Members present: Sue Sheridan, John Sharp, Hon. Mary Foster, and Scarlett Antonia.

**Call meeting to order** - President Fassett called the meeting to order at 6:03pm and noted it was being held via ZOOM, and reminded participants to stay on mute when not speaking. Pres. Fassett asked Exec. Dir. Powers if he had received any email correspondence from BID Members and there was no email correspondence.

**BID Member Public Comment** – There were no comments.

**Request Approval of May 7, 2020 and June 2, 2020 Meeting Minutes** – Secretary Joseph made a motion to accept the May 7, 2020 and June 2, 2020 Meeting Minutes, seconded by Board Member Fairchild, all in favor (Fassett, Joseph, Fairchild, D'Amico, Agudelo, Kaminsky).

Board Member Del Rosario joined the meeting.

Board Member Ann Scaglione joined the meeting.

**2020 Event Planning** – Noting that Vice Pres. Fitzgerald had not yet joined the meeting, President Fassett turned this agenda item over to Board Member Del Rosario. She stated that she had a conversation with Vice Pres. Fitzgerald and that they had agreed that we could not do any large events right now and that they were considering doing smaller live music events instead through out the BID, on Division, in front of Birdsall, and on Esther Street to bring people downtown. Pres. Fassett asked if this would be done through a grant program previously discussed; Board Member Del Rosario stated that yes it could be, but that Vice Pres. Fitzgerald did not want to make the process too complex. Pres. Fassett suggested putting together a simple grant program like Bre Pettis did for the visual arts where he gave away \$5,000 in three days to multiple artists; he suggested using the \$5,000 originally earmarked to provide food through downtown restaurants to first responders, set up a simple form on a simple web page, where local musicians can send in a link to their music reel and the BID would have a committee select from the entries; he stressed that the selections must be fair, and the way to do that is through a submittal process. Board Member Del Rosario stated that she also thought that there should be set payments so everyone is treated and paid fairly. Pres. Fassett said there should be a fee structure for a solo artist, duo, trio, quartet, and a band rate. He further noted that we have to assign locations because we may have to provide insurance, especially, if it's on city property. Board Member Del Rosario reiterated the areas they were looking at placing music, but they are not limited to those areas, adding that perhaps Crossroads could be added to the list. She said her goal was (1) get the buy-in that we would not do a big event and that (2) she could get buy in to spend BID money for the initiative. Board Member Fairchild asked how often the music would be done and when. Board Member Del Rosario stated that when they do music on Division, it's on a Saturday or Sunday and it runs for 3-4 hours. She added they could have music on a Friday night too since the street closure has been expanded. She stated that the music series should run until the \$5,000 is spent. Exec. Dir. Powers stated that the musicians should be self-sufficient, ie, their own audio setup since having to

provide audio set up would double the expenses. Sec. Joseph likes the idea but asked if the Division Street restaurants are going to be putting any money towards the music. Pres. Fassett stated that the Division Street restaurants are already pretty much self-sufficient with their own bands. He also suggested that we could add library plaza and encourage people to have lunch there; or other areas where people can spread out. He said we need times and dates and locations. Sec. Joseph likes the idea of a grant program and that we should produce a colorful flyer to promote the music series. Pres. Fassett said he thinks to call it a grant program gives the BID an opportunity for PR. Board Member Del Rosario summarized the discussion about setting up a submission site, selecting a committee that will select the musicians, locations, and calendar. Board Member Agudelo suggested that maybe music could be placed in the Crossroads parking lot and have people park nearby.

Sec. Joseph made a motion to re-allocate the \$5,000 originally approved by the board to supply food to first responders through downtown restaurants to this music grant program, seconded by Cynthia, all in favor, including an abstention by Matthew Rudikoff and a yes vote by Monique Michaels both of whom joined the call late and are not visible on the ZOOM screen.

Pres. Fassett asked Exec. Dir. Powers to set up a meeting with DPW to make sure we visit the pad where the Harriet Tubman statue is going to be placed in advance of its arrival in December.

**Racial Equality Initiatives** – Exec. Dir. Powers announced that he was on a statewide call conducted by the Business Council of New York on racial equality. His takeaways that the panelists wanted us to focus on were: equal access to capital, information, and opportunities. All the panelists were emphatic about the business communities offering mentorship or internship programs. Pres. Fassett asked the board to come up with some programs or initiatives or ideas in support of racial equality. Sec. Joseph liked the mentorship program.

## **Executive Director's Report –**

### **Peekskill Farmers Market**

Exec. Dir. Powers noted that the Peekskill Farmers Market is going well, thanked Brian for his attendance at the market, further noted that he (Bill) had been at the market weekly since it started. He thanked Chereese Jervis Hill and the team at Events to Remember for doing a great job. He further noted that ETR lived up to ever commitment that ETR made to us during the interview process. He stated that her entire staff was at the market to be cross-trained in every aspect of management of the market including the COVID 19 precautions. With 3,500 market goers in June, there were only 2 people who refused to wear masks. He noted that there are 18 different vendors and 8 of them are new. Temperature checks are done on all vendors and their staff, and all ETR staff since the market started and no one has had a fever. He also noted that the number of people attending the market is down a little, maybe about 10% due to COVID and our social patterns have changed. He noted that there was an issue with Rolling Ridge's portable devices for processing SNAP/EBT in the first two weeks of the market but he has switched vendors and devices and those issues have been cleared up. He also noted that Board Member Fairchild has been in touch with the vendors and has offered to help them file an application to become a certified SNAP vendor; we have not had any new vendors become SNAP-eligible; we are continuing to encourage them to do so. He stated the application process is easy, but the ongoing accounting, especially for smaller farms is too cumbersome. The online payment program for the vendors is working well; he thanked Treasurer Scaglione and the city for helping set it up. About 1/3 of the vendors are using the online payment program and we are encouraging the others to go over to it too. He noted that the market has been getting good feedback

on social media and received a great Google review; the market page on Facebook has over 540 likes. He further noted that Chereese has taken and passed the first three modules to becoming a certified farmers market manager. ETR also has some volunteers helping out as well. Pres. Fassett stated that the management of the market has been almost seamless, ETR has been wonderful, and that he likes that the BID has a larger presence with our new tent. Pres. Fassett made a pitch to the board members to do a few of hours of volunteer work at the market. It's a great opportunity to meet people, talks about the BID, etc.

**Revised 2020 Budget** – Exec. Dir. Powers noted that he had provided the BID board with a revised 2020 budget based on the impacts of COVID 19, noting that the BID is still in good financial standing because we had a \$60,000 reserve fund. He noted the transfer of the \$5,000 tonight into the music series; he stated that he removed the income and expenses from the June and October events; he further noted that the BID has about \$5,000 to put towards other programs like a mentorship program. He also added \$3,000 in the budget for Esther Street if we need to establish some sort of contribution to that project. He also kept \$3,500 in the budget to repaint ten trash cans to keep that program on track.

**Flea Market** - Exec. Dir. Powers stated that he also cut the revenue and expenses in half for the flea market indicating that there is no guidance yet in how to conduct a flea market; he noted that the flea market vendors do not provide insurance and that the BID takes the full liability; he reminded the board that items sold at the flea market come from individual homes and we cannot assure that there is no COVID19 spread from those items.

**Administrative Assistant Hiring** – Since the departure of Deb Polhill, we have hired Juana Pinyol as our new administrative assistant; she has already started by translating our board minutes into Spanish for the website; she will be doing some outreach into the Latino business community as well as other BID members. He said Ms. Pinyol is very excited to join the team.

Board Member Agudelo asked where the amount of money for Esther Street is placed in the budget and how much was it again. Exec. Dir. Powers said there was \$3,000 left in the budget for Esther Street, but that it could be more or less, depending on the direction from the board. Pres. Fassett noted that he would talk more about Esther Street in the next agenda item.

**Esther Street** – Pres. Fassett said he had been in constant touch with Conor Greene about the project and that there have been meetings with DPW, building owners, businesses, to address concerns about trash collection, parking, access to loading docks, and emergency access for the fire department. Peekskill Walks thinks they will get a positive vote from the city council and after they get the go-ahead, they will start raising money. He encouraged Mr. Greene to start raising funds now, and he thought that Peekskill Walks was looking for \$3,000 - \$5,000 from the BID, but Brian wants to make sure we know exactly what the money is being spent on. Benches are about \$1,000 each, for example. Board Member D'Amico stated he liked the bench proposal because if the Esther Street closure doesn't work out in the future, we can relocate the benches to another part of the BID. Pres. Fassett asked the board if they wanted to agree to a funding level now with a decision on what the BID will pay for at a later time. Board Member Del Rosario wants to hold off on a vote of funding until we see a final proposal. Board Member Michaels asked what the needs of the project are and if there is a budget breakdown of what they intend to spend on what. Pres. Fassett said they need lighting, tables, furniture, plantings; he thinks they will take and use some of the BID's planters. The proposed entire budget is \$41,500, with \$6K on benches, \$3K on lighting, bike racks for \$450, landscaping at \$3,000, plantings at \$5K, removable bollards at \$10K, \$400 for sailcloth shading, and \$1,200 for art. Board

Member Agudelo stated she would like to see more comfortable seating like chairs and tables rather than benches, and asked if that can be relayed to Peekskill Walks. Without taking a vote on funding, Pres. Fassett asked if we were to provide financial support, would the board be comfortable with that \$3K range and the consensus was yes.

**Downtown Survey** – Board Member Agudelo posted the link to the survey in the chat and thanked Board Member Kaminsky for helping craft the message in the beginning and the questions. She is looking for feedback. She also shared her screen with the survey; Board Member Del Rosario said she sent Board Member Agudelo some thoughts earlier in the day. Board Member Agudelo went through the information and questions and multiple-choice responses and the board provided input. Board Members can edit the questions or add choices. There was a lengthy discussion about whether to ask businesses about whether someone they knew died of the virus, that it may be insensitive to ask that question. We need to be careful about setting expectations by which questions we include and how they are worded. We should also be aware of how long the survey is. There was also a discussion about going around to businesses with Ipads to collect the information. Pres. Fassett stated we should try the email survey first, and then go door to door if we are not getting a good response but we need to be sensitive that in-person contacts may not seem appropriate during COVID. He expressed his support for the survey.

**Re-Opening of Downtown** – Board Member Del Rosario noted that she and Pres. Fassett are co-chairing a working group led by the city manager. She reported that they are interested in closing Division Street on Thursday and Fridays in addition to Saturdays and Sundays. She said that the Quiet Man remained closed, but that they were potentially looking at reopening by the end of the month and she does not have anything new to report on the re-opening of Division Street Grill. She also noted that they had been advocating for parklets and that John Sharp placed one in front of Gleason's. They are also talking about the closure of Esther Street and that Louie Lanza is looking at closing Railroad Avenue for food service. The BID also requested the city waive the fees for the outdoor dining permit which was \$350 and the City Council waived that fee for the rest of the year, removing a barrier for some eateries. He stressed that applicants must still go through the permitting process, there is just no fee attached to it. He also noted that we are moving into Phase 4 with more things opening, and the social gathering number has gone from 25 to 50 people. Ex. Dir. Powers noted that the city had placed all the documents regarding the outdoor dining permit in one location on the city website. Pres. Fassett noted that Police Chief Halmy is trying to get the word out that parking enforcement is in effect as of July 1, 2020.

**Central Avenue Development/Workforce-Affordable-Market Rate** – Board Member Rudikoff presented that the Central Avenue housing proposal is 78 units which has been discussed more by the City Council than the planning board. There is nothing before the planning board yet because the focus is on whether the council likes the concept of the project to agree to sell the land on which the development is proposed. He believes the next meeting of the Council is July 13 where the Council would decide on whether to sell the land to the developer and that a public hearing would be set on that topic. He said that there was an eloquent debate on the City Council about how affordable (from a rent perspective) the project should be and/or how many units should be designated as affordable. He discussed various outcomes. He also addressed that the developer would be required to provide meaningful parkland or make a payment in lieu of providing meaningful parkland. He addressed the 100 steps initiative and more of a park-like public amenity offered by the developer. If the Council decided to sell the land to the developer, then the developer would come back with a more detailed site plan and proposal for consideration. The public park-like amenity is a planning board decision, not

Council decision. Board Member Agudelo stated that it was important to have better definitions of affordable, workforce, and market-rate, noting that affordable in Peekskill is different than affordable in another community in Westchester. She stated that there was a big disparity between the AMI (Average Median Income) of Westchester County at large and Peekskill. More info can be found in the Westchester Housing Needs Assessment. About 56% of Peekskill households are under the threshold put forth by ALICE data, which means 56% of Peekskill residents are struggling to meet the basic minimum living costs. She noted that COVID is causing additional strain in these families. She is concerned and acknowledged there are differing opinions on the Council, that the city is going to sell land to a developer for market-rate housing, with one-bedroom apartments going for \$2,700 per month and that the developer will set aside 16 units for affordable and workforce rentals, adding that that is not enough. She stated that her colleagues on the council want to see market-rate housing because it will bring in people with more disposable income. She noted that the chamber of commerce wrote a letter of support for market-rate rentals because market-rate renters with disposable income will help patronize downtown businesses. She reiterated that board members should read the Westchester Housing Needs Assessment because we do not know the housing crisis we are facing, especially as evictions start. She said 80% of the Peekskill Housing Authority residents have not been paying rent since the pandemic started and suggested that many Peekskill residents are in the same situation and it is worse because of the pandemic. She said the city should be trying to support projects with mixed-income levels so as not to segregate residents of specific income levels into single types of housing. She lastly addressed the 100 steps which Peekskill Walks was very supportive of, stating that her colleagues on council do not think the steps would address the recreation/parkland requirement and would not provide much use by residents; she disagrees, she thinks it would be a good connection between South Street and Central Avenue. She said the proposal right now is a "glorified patio" with some art statues, but she wants the space to be able to be enjoyed by all residents. Pres. Fassett noted that most of that land proposed for development is 95% outside the BID and stated that we should not be commenting on the structure or the stairs, but that if we wanted to, we could comment on the tiered levels of rental housing. Board Member Kaminsky asked if an architect could talk to us about the project, noting that it looks like the land is an odd place to put a large housing development. Pres. Fassett noted that the architect has presented to the City Council and at the recent meeting the topic consumed about two hours of time. Board Member Del Rosario stated that her husband researched the land and there is "something" about that land and that it has some "issues" with it. The stability of the land and the soil that it there should be of concern, she said. Board Member Rudikoff said he will look into that and get back to the board and Board Member Del Rosario said she would send Board Member Rudikoff some more information about her concerns. Board Member Rudikoff invited the BID board to listen in on the council meeting on July 13 when this item comes up.

Vice Pres. Fitzgerald asked Board Member Agudelo what the total number of affordable housing is in Peekskill. Board Member Agudelo asked for his definition of affordable. Vice Pres. Fitzgerald said he was referring to subsidized housing. After some disagreement on actual numbers in subsidized housing, Vice Pres. Fitzgerald said his position is that there needs to be a good balance, so that businesses can be supported and that employees can live and work in the same city. We have to have a good mix, not 100% subsidized. Board Member Agudelo again urged the board to look at the report, noting again that 56% of Peekskill residents are cost-burdened and cannot afford to live in Peekskill. She is concerned that some current residents who have contributed to the city will be pushed out because there is no balanced housing model and she does not support the 90% market-rate housing

proposal. Pres. Fassett invited the board to look at the links provide by Board Member Agudelo and participate in the Council meeting on Monday.

**We Are Peekskill Campaign** – Exec. Dir. Powers stated that the campaign is being developed and that it has shifted a bit, away from a reopening campaign to more of a promoting Peekskill business campaign. Copy and graphics should be available to share with the board next week. Pres. Fassett said the campaign is exciting.

Board Member Rudikoff asked to switch his vote from abstention to yes on the music grant program and asked if the campaign is designed to attract new businesses or is it consumer-focused. Pres. Fassett stated the campaign is to show the small business owners of Peekskill and is customer-focused. Exec. Dir. Powers stated it is more of a consumer campaign.

**BID Renewal** – Board Member Kaminsky said he will be looking through the BID's legacy documents to see what needs to be updated, noting it is a very large document. Pres. Fassett asked Exec. Dir. Powers to give a brief history of why Board Member Kaminsky is starting this process. Exec. Dir. Powers stated that the BID is up for renewal in September of 2021, that there may need to make some changes to the DMA agreement, that there would have to be some negotiations with the city on any changes, and that BID members and members of the public would be able to provide input at a public hearing. He noted that Mr. Kaminsky has a clean copy of the legacy documents to work from since we had them retyped and is now available as a word document and not scans of xeroxed copies.

**Open Meeting Law Report** – Board Member Kaminsky stated that he had done some additional research on this topic and stated that different BIDs were founded with different responsibilities and he said the question is whether our BID falls under the Open Meetings Laws; that would only be true if we were a public body. A public body under the OML has to perform a governmental function. He said it is a gray area, tending more towards the “no” for this BID. We do not pass legislation, we do not have power over anyone, we don't levy taxes, etc. he said it seems to him, more likely than not, that we are not subject to the open meetings laws. The law does not provide a clear answer, there is no case law or judge's decision to look to for clear guidance. He concluded and said we are not subject to the OML, but also stated that we should still be transparent and provide information and post the minutes. He noted that Board Member Fairchild had provided information that led to the same conclusion. Pres. Fassett asked Board Member Agudelo if she had been able to find out any additional information on this topic and she said no, that she not been able to find more information. Pres. Fassett asked the board if anyone had any concerns about how the BID was conducting these meetings and no one raised any concerns.

**DRI Update** – Pres. Fassett said he had spoken to the DRI consultants and he said that he received the same message he had previously, that we would be getting more information about moving the process forward soon. They are hopeful that as the state starts to reopen, that the state's focus will shift to these kinds of programs. The DRI is still happening and when more information is available he will share it. Board Member Agudelo said she had received notice today and read the contents of that email, noting that the state has given the go-ahead to move forward with the DRI, that everyone was thanked for their patience during the pause, and further noted that the DRI team was continuing to work on plans and develop the projects further and that there will be virtual meetings soon to restart the process and should have a meeting schedule ready for release in the next week. Pres. Fassett questioned why that communication wasn't sent to the local planning committee but noted regardless that it was good news to move forward.

**Paramount Update** – Board Member Agudelo did not have anything new to report on the Paramount.

**Census Update** – Board Member Rudikoff said that the Census process will be extended to October. Jesica Youngblood is the city's lead person on the census and she is working with the library and school district. He noted that there will be door to door census takers going to hit the streets soon as the last phase of this process. The City of Peekskill's response rate is 57%, which is higher than in other municipalities, and is higher than the NYS average, but still not where it needs to be. In 2010 our participation rate was 65% and the census expects to pass that in the door to door phase. He said there was some discussion about Jesica working with Juana but he did not know the status of that.

Board Member Fairchild noted that if people do not complete the census we will not get the funding to address the issues Board Member Agudelo raised earlier, like health care, food insecurity, housing, etc. She said it should be a priority for us, the chamber, and the city. Board Member Rudikoff encouraged the board to get a few more people to respond. Board Member Del Rosario stated that she had been asked to include a poster about the census in the restaurant and she said yes, but that there has been no follow-up. Pres. Fassett asked Board Member Rudikoff when the census takers are scheduled to go door to door and he said he would find out and report back to the board. Board Member Del Rosario offered to put census postcards in customers' to go bags if she can have some dropped off at the restaurant. Board Member D'Amico asked if there is any way for the census takers to know if a household has completed the census so as to avoid duplication and we do not know that. Only grouped data is reported publicly to determine response rates in tracts. Board Member Fairchild asked if the BID could have the Census flyers at the BID table, and we are already doing that. Exec. Dir. Powers noted that the Census will be coming to the Farmers Market to conduct the census there. Board Member Agudelo stated that the Westchester Library System is also a partner in the census and that she said the Field Library was given an Ipad to use to help people fill out the census survey. BID member Mary Foster asked if she could respond, noting that the library just reopened yesterday and that people do not have access to the computers. Even in the next phase of opening, there will not be access to the computers. And she further noted that with the schools being closed and the library being closed, they really have not been active partners with the census. BID Member Foster said she would follow up because it is going to be a challenge since people are not going to be allowed access to technology until maybe August. Board Member Agudelo asked BID Member Foster if the library has the tablet or Ipad, could they give it to another group like the BID or the NAACP to gather the census data. BID Member Foster asked to talk the discussion offline. Pres. Fassett asked Ms. Fairchild to get him the hotline numbers for the census and he'll put them up on Facebook and the BID website.

**BID Member Public Comment** – John Sharp stated that he is in favor of market-rate and workforce housing rate rentals in order to have his employees be able to live here; he said Peekskill does not have enough market-rate rentals to support our businesses; market-rate renters would create more job opportunities and allow him to pay higher wages to employees. He stated that he is not disagreeing with Board Member Agudelo's positions or comments but wants market-rate rentals to be part of the conversation with the BID and the city because market-rate creates jobs. He shifted topics and stated that there are serious drug dealing, public alcohol consumption, large gatherings outside one business of people without masks. He is asking for enforcement advocacy from the BID on behalf of businesses trying to come out of pandemic. Pres. Fassett noted that the BID will follow up with the chief of police and Board Member Del Rosario will add it to the weekly call with the city manager.

BID Member Foster recounted Rotary's efforts to feed people in need while supporting businesses; she also asked that there be visible signs that asks people to wear masks whether you are sitting down

eating or just walking through. She said there are complaints that now that people think it's safe to dine outside that some are getting more lax about wearing a mask; we should be concerned about restaurant staff and diners. She also asked about Esther Street and whether Peekskill Walks is an incorporated or non-profit entity and who will manage the park and is the BID going to be giving money to them to create the park area which is really the city's initiative. Or, will it be managed by a non-profit with a board, or is it going to be a City/BID initiative. Pres. Fassett stated that the issue of liability keeps coming up, and that Peekskill Walks is not currently an entity that can take on the liability. The city is looking at ways to move the project forward and there was a lengthy discussion on discussing Esther Street and it was not resolved. BID Member Foster said that her concern was less about liability, but more on how an entity raises money when it is not incorporated. BID Member Foster said that with regards to the new housing, that we focus on what we have in the downtown already and best compliment what is already there and make sure we have a really good mix of housing with mixed-income levels and that we should keep in mind that all of our senior housing in downtown are subsidized as are some of the artist housing. The city should be looking at the downtown as a neighborhood that needs to support businesses and provide living options for people who work in downtown. We should not look at building to building rentals but look at the downtown as a neighborhood as a whole.

BID Member Scarlett Antonia said she liked the music grant idea and that she is happy to move into phase four. She also asked if singers could be eligible for the grant and Pres. Fassett said yes. She also liked the mentorship program and wanted to make sure if we proceed, we include the performing arts.

**Adjournment** – Motion by Sec Joseph to adjourn at 7:55pm, seconded by Board Member Kaminsky, all in favor.