

To: Peekskill BID Board of Directors

From: BID Election Committee (Jean Friedman, Joseph Schuder, Howard Wessells)

Re: 2010 BID Election

Date: December 7, 2009

After meeting with Peekskill's Corporation Counsel, the Election Committee has determined that the BID by-laws were followed for the 2010 Board of Directors election process. The current process will continue, as outlined in the notices dated October 23 and December 1, 2009, with a "walk-in" and absentee ballot election to be held on December 17, 2009.

Article IV.7(c) indicates that a date must be set for the filing of petitions no later than ten days prior to the date of the election. A notice was mailed to property owners and tenants in the district by first class mail on October 23rd with a petition due date of November 19th for a December 17th election. The Election Committee followed due diligence when it mailed the notice to tenants at every property address in the district, and to all owner's addresses as listed in the City's tax rolls. First class mail is considered delivered unless the mail is returned to sender. Returns from the tenant and owner mailings were minimal. In addition, the notice was posted on the BID website, and the election process was discussed at numerous Board meetings prior to distribution.

Article IV.7(e) requires that an announcement of the election, including a list of all candidates who have filed petitions and instructions on voting, shall be mailed to the membership no later than 7 days prior to the election. This notice was mailed to the membership on December 1st.

The election process will continue as planned. For further information, the notices are posted on the BID's website, <http://www.downtownpeekskill.com/>