

CITY OF PEEKSKILL COMMON COUNCIL
PEEKSKILL, NEW YORK

AGENDA BILL

SUBJECT: RESOLUTION AUTHORIZING THE CITY MANAGER TO TERMINATE ELECTRICAL SERVICES AGREEMENT CONCERNING THE COMMUNITY CHOICE AGGREGATION PROGRAM	FOR AGENDA OF: 1/12/2026		AGENDA # J-9
	DEPT. OF ORIGIN:	CITY MANAGER	
	DATE SUBMITTED:	12/30/2025	
	DEPARTMENT HEAD:	CITY MANAGER	
	EXHIBITS/STAFF:	LETTER TERMINATING ELECTRICAL SERVICES AGREEMENT	

APPROVED AS TO FORM BY CORPORATION COUNSEL	ELG
APPROVED BY COMPTROLLER	JgJ
APPROVED BY CITY MANAGER FOR SUBMISSION	mca

EXPENDITURE REQUIRED	N/A	AMOUNT BUDGETED	N/A	APPROPRIATION REQUIRED	N/A
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SUMMARY STATEMENT

THIS RESOLUTION AUTHORIZES THE CITY MANAGER TO SIGN A LETTER TERMINATING THE ELECTRICAL SERVICES AGREEMENT BY AND AMONG THE CITY OF PEEKSKILL, SUSTAINABLE WESTCHESTER, INC. AND CONSTELLATION NEWENERGY, INC. WITH RESPECT TO PARTICIPATION IN THE COMMUNITY CHOICE AGGREGATION PROGRAM.

RECOMMENDED ACTION

ADOPT THE RESOLUTION TO AUTHORIZE THE CITY MANAGER TO SIGN A LETTER TERMINATING THE ELECTRICAL SERVICES AGREEMENT BY AND AMONG THE CITY OF PEEKSKILL, SUSTAINABLE WESTCHESTER, INC. AND CONSTELLATION NEWENERGY, INC. TO WITH RESPECT TO PARTICIPATION IN THE COMMUNITY CHOICE AGGREGATION PROGRAM.

MOVED BY:	SECONDED BY:
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ROLL CALL VOTE					
MAYOR MCKENZIE			COUNCILMAN DIGRUCCIO		
DEPUTY MAYOR RILEY			COUNCILWOMAN CHANG		
COUNCILWOMAN TALBOT			COUNCILMAN RIGGER		
COUNCILMAN FASSETT					

FUNDING SOURCE (FEDERAL, STATE, COUNTY, BUDGET)	AMOUNT	GENERAL LEDGER ACCOUNT	CITY MATCH AMOUNT	CITY MATCH GENERAL LEDGER ACCOUNT
FEDERAL	N/A	N/A	N/A	N/A
STATE	N/A	N/A	N/A	N/A
COUNTY	N/A	N/A	N/A	N/A
BUDGET	N/A	N/A	N/A	N/A

**RESOLUTION OF THE COMMON COUNCIL
AUTHORIZING THE CITY MANAGER TO SIGN A LETTER
TERMINATING THE ELECTRICAL SERVICES AGREEMENT
BY AND AMONG THE CITY OF PEEKSKILL,
SUSTAINABLE WESTCHESTER, INC. AND
CONSTELLATION NEWENERGY, INC. TO PARTICIPATE
IN THE COMMUNITY CHOICE AGGREGATION PROGRA**

WHEREAS, the City of Peekskill is a member of Sustainable Westchester and participates in the Community Choice Aggregation Program (“CCA” or the “Program”); and

WHEREAS, the Electric Service Agreement (“ESA”) by and among the City of Peekskill, Sustainable Westchester, Inc. and Constellation NewEnergy, Inc. with respect to the City of Peekskill’s participation in the Program terminated on November 30, 2025; and

WHEREAS, the City of Peekskill had desired to continue to engage the services of Sustainable Westchester, Inc. as the Program Manager for the Program and committed to enter into a new ESA to continue its participation in the CCA once an electrical services provider was selected; and

WHEREAS, in connection with the CCA, Sustainable Westchester, Inc. provided the City of Peekskill with information regarding a plan to secure a new ESA (the “2025 ESA”); and

WHEREAS, on April 14, 2025, the Common Council passed Resolution J-17 to continue its participation in the CCA; and

WHEREAS, Constellation NewEnergy, Inc. was selected by Sustainable Westchester, Inc. to act as the electrical services provider under the Program and the City of Peekskill entered into an ESA by and among City of Peekskill, Sustainable Westchester, Inc. and Constellation NewEnergy, Inc., that was to commence on or about December 1, 2025; and

WHEREAS, the State of New York has implemented new rules that govern community energy programs statewide, which impact all Community Choice Aggregation administrators and their energy providers; and

WHEREAS, Sustainable Westchester, Inc. has determined that continuing the Program under the current regulatory framework is no longer feasible; and

WHEREAS, by letter dated November 10, 2025 the City was notified that the Program was being discontinued and that Sustainable Westchester, Inc. and Constellation NewEnergy, Inc. had mutually agreed to terminate the ESA and cancel the Program; and

WHEREAS, for residents and small businesses within the 26 municipalities participating in the Program administered by Sustainable Westchester, Inc., there will be no disruption to electric service as power will continue to be supplied safely and reliably by their local utilities, Con Edison and NYSEG; and

WHEREAS, as an alternative, customers may select another energy services company; and

WHEREAS, as a matter of administration, the City Council hereby authorizes the City Manager to execute the letter terminating the ESA.

NOW THEREFORE,

BE IT RESOLVED that the City of Peekskill Common Council does hereby authorize the City Manager or his designee to execute a letter terminating the ESA by and among the City of Peekskill, Sustainable Westchester, Inc. and Constellation NewEnergy, Inc. and formally discontinue the City of Peekskill's participation in the Community Choice Aggregation program; and be it further

RESOLVED that the City Manager or his designee is authorized to take all actions necessary to effectuate the terms of this Resolution; and be it further

RESOLVED that this Resolution shall take effect immediately.