



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Hadassah Mativetsky, City Council President

Sarah Dinhofer, City Clerk

COUNCIL OF THE CITY OF BINGHAMTON

Business Meeting Minutes

City Council Chambers, 38 Hawley Street, Binghamton, NY 13901

6:00 PM Wednesday, April 24, 2024

I. CALL TO ORDER

At 6:01 PM by President Mativetsky

II. PLEDGE OF ALLEGIANCE

Led by President Mativetsky

III. ROLL CALL

Present: Porter, Middleton, Cavanaugh, Hotchkiss, Mativetsky, Kosty, Dundon

Also Present: Samantha Costello (Deputy Clerk), Robert Heary (Asst. Corporation Counsel)

IV. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

1. Approval of Business Meeting Minutes from 4/10/2024
 - a. Motion: Dundon
 - b. Second: Middleton
 - c. All in Favor

V. APPOINTMENTS

VI. SET PUBLIC HEARINGS

1. The City of Binghamton will hold a Public Hearing regarding RL 24-82 A resolution to hold a public hearing for NYSHCR grant
2. The City of Binghamton will hold a Public Hearing regarding RL24-84 A resolution authorizing a special noise variance for Abel's Pub live music events
3. These Public Hearings will take place at 6PM during the May 8, 2024 regular City Council Business Meeting in City Council Chambers, 38 Hawley Street, Binghamton NY. Residents wishing to participate in Public Hearings may do so electronically by emailing their comments prior to 1:00PM on the day of the meeting to clerk@cityofbinghamton.gov or in-person during the meeting.

VII. PUBLIC HEARING

1. Public Hearing regarding RL24-71 "A resolution authorizing the City of Binghamton to submit an application for funding from Empire State Development Corporation Restore New York Communities Initiative Round 8"
 - Rebecca Rathmell, Binghamton resident: States RESTORENY program requires alignment with City goals. City is struggling with affordable housing for low-income residents. Notes that Mayor Kraham



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- and Mayor David have long ignored the needs of this population. Highlights \$1600 for one bedroom and \$2200 for two bedroom not remotely reasonable for local residents. Thousands remain on waitlists for affordable housing in City with wait time over 24 months. Notes that this project does not have the interest of local residents looking for affordable housing at heart. Frustrated about push to move projects forward without consulting City Council and expediting deadlines to create sense of urgency. Recommends using opportunity as leverage to dedicate budget line items to Community Housing Trust Fund
- Christopher Scott, Binghamton resident: Notes that City has overwhelming population of unhoused people that lack medical assistance, housing assistance, and access to food. Although project would make the train station look better, it would not respond to issues of homelessness, access to resources that are overwhelmingly more important. Does not help anyone in the North Side who cannot afford \$1600 apartment. Notes that relationships with out of state property investors harm local residents, mostly only help college students, and displace housing opportunities. Points out many Councilmembers ran on housing as major political issue, feels frustrated that it has not yet been addressed
 - Marcia Gates, Binghamton resident: Notes that 6 of 7 Councilmembers ran on promise to reform housing in City. Widely known that there is rising housing crisis in Binghamton, with homelessness and access to housing resources creating greatest barrier to obtain/maintain employment. Lack of an address affects access to food, insurance, and other resources necessary for meaningful quality of life. Points out that \$1600 units would require \$58,000/yr salary, while 2-bed units would require family to make upwards of \$80,000/yr. Significantly impacts Binghamton City School District, where last 3 years of statistics have found 300 houseless students. Reiterates that community needs affordable housing and implores Council to say no to RL24-71 to ensure affordable housing
 - Salka Valerio, Binghamton resident: As an active resident, has attended Council meetings to discuss affordable housing for five years and has watched it continually get worse. Lives on the East Side where landlord cannot even rent out a \$950 2-bed apartment because it is too expensive. Notes that people who can afford \$1600 apartments would not choose to live there anyway, as there are no amenities that people in that salary bracket would be interested in: no sufficient bike lanes, infrastructure, etc. to attract “market-value” clients. Reiterates that 335 homeless children in the BCSD are living in hotels, struggling with food access. Expresses support for First Ward Action Council application and other affordable housing options
 - Oren Levy: Notes belief that audience does not understand housing crisis -- City needs to create supply, must lower taxes for builders. States rent is high because landlords do not want to rent to people who do not pay and cannot push for eviction. Recommends that if people want more housing, must lower taxes for landlords
 - Chris Perez, Binghamton resident: Licensed social worker that works with a local agency -- finds it horrifying to understand the landscape of homelessness, including experience of Broome Security moving homeless folks from bus station to hide the issue. Has seen people unfed, medical conditions unmet, while City uses police to respond to crisis. Sees the City as parental figure with



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- moral responsibility to take care of people struggling with houselessness. Points out significant waste of taxpayer money using police to evacuate homeless folks from space. Asks City Council to reflect on their own moral fabric and understand what they truly care about, reflecting those values in their votes
- Tarik Abdelazim, Binghamton resident: Notes that there is an affordable housing crisis everywhere, but acute in City. RESTORENY is one of the most impactful local programs designed around municipal priorities. Notes that Council's priority will deeply impact which project is selected, particularly given history of higher success in City vs. County projects receiving funding approval. Notes difference from process in 2007-2008, when previous administrations went to local community assemblies, canvassed neighborhoods, and created list of priorities. Process was successful in creating affordable housing, removing vacant properties, and improving overall quality of life. When people are allowed to participate in process, you get better outcomes. Calls on Mayor Kraham to explain competing priority with bid application for 1 N. Depot and on City Council to reject proposal
 - John Solak, Binghamton resident: Notes former Mayor Juanita Crabb did more for housing or any other projects in City: all projects continue to be funded, have never been challenged by any administration (Boscov's, Stadium, etc.). Recalls Crabb administration instituted immense property and school taxes on single family homes -- despite economic contradiction, notes that purchasing single family homes is most critical way to free up rental market. Argues that it is important to help people build equity over time, not keep them paying rent — important to come up with plans for single family housing, look at entire picture and learn from past success

VIII. PUBLIC COMMENT

Residents wishing to submit public comment may do so electronically by emailing their comments prior to 1:00PM on the day of the meeting to clerk@cityofbinghamton.gov or in-person during the meeting.

Council President Mativetsky reads Rules of Public Charter into the Record:

- Public Comment is an opportunity for the public to address City Council during business meetings in which there is pending legislation to be voted upon, and is subject to the following rules:
- 1. Speakers MUST provide their name and any organization they represent (if any) and state:
 - A. If they live in the City
 - B. If they work in the City
 - C. If they live and work in the City
 - D. DO NOT live or work in the City- speakers may include a home or work address at their discretion.
- 2. Speakers WILL have up to five minutes to address City Council regarding pending legislation and issues affecting the City.
- 3. Public Comment is NOT a questions and answer period. It is an opportunity for the public to address



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City Council. Members of Council should not interrupt speakers.

- 4. Speakers WILL NOT defame, intimidate, make personal affronts, threats of violence, or use profanity.
- 5. Speakers WILL address their remarks to City Council, NOT other members of the public nor City staff.
- 6. Speakers and attendees WILL NOT interfere with, touch, manipulate, or disturb City equipment, including microphones, AV equipment, tables or barriers.
- 7. Speakers and attendees ARE NOT permitted to advance beyond the table designated for public comment without the consent of the Presiding Officer.
- 8. Attendees WILL NOT delay or otherwise interrupt speakers nor will they disrupt the orderly conduct of the meeting.
- 9. Speakers, attendees or members of City Council ARE NOT permitted to engage in electioneering or campaigning.
- 10. All members of City Council ARE EXPECTED to preserve the order and decorum of City Council meetings.
- Any member of Council, may raise a “Point of Order” and cite the section being violated. The Presiding Officer will advise the speaker of the violation. If that person or persons continue to violate the rules, their opportunity to present public comment may be terminated and they may be required to leave the meeting room.
- Further violations may result in removal from the meeting room.

Comments:

- Tarik Abdelazim, Binghamton resident: Notes there has not been City-wide assessment since 1993; equalization rate does not account for how property rates change at different ranges (ex. North Side properties vs. West Side properties). Mentions further discrepancies in property values vs. assessment rates and that property owners are taking advantage of complicit or negligent political leaders. Suggests City-wide assessment is essential to ensure tax burden is shouldered fairly and equitably based on property values
- Oren Levi, Broome County resident: Directs comment to Councilmember Porter, accusing Porter of ignorance and anti-Semitism. ****POINT OF ORDER: DUNDON, SECOND: MIDDLETON** Discussion: CM Dundon: Not against Oren finishing as long as there are no more personal attacks; Porter: Point of order is two-fold -- he called me ignorant and he called me out personally”; Corporation Counsel: Suggests letting him finish with the understanding that there are to be no more personal attacks directed at any Councilmember. Idea of public comment is to allow public to make statements, not personal attacks.** Levi continues, noting that if he had made a speech against the KKK and a Councilmember responded “one man’s terrorist is another’s inspiration”, it would be very poorly received. Gives example of LGBTQ/other marginalized people as being protected by Councilmembers, whereas Jewish people are not given minority status despite being a minority in the global population. Contests that there is no way to combat the misinformation that is pervasive, noting that Council is eager to please the crowd and voted for R24-25 due to pressure from crowd at 4/10/24 meeting.



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Accuses Council of knowing about humanitarian aid efforts, but notes that they continue to support the ceasefire efforts for “murderous, raping beasts.” Questions if Council regrets decision to pass resolution and reiterates that job of leadership is to do the right thing. Notes that Council is inequitable in enforcing rules in Chambers, then begins to read list of Israeli hostage names into record

- Yuliya: Reads remainder of list of 127 hostages into record
- Misty Kirby, Binghamton resident: Reiterates commitment to speak about dignity at City Council and School Board meeting -- the idea that we all deserve to live well and with dignity. Supports Mr. Abdelazim’s opinions on affordable housing and equitable taxation for property developers. Disappointed not to see RL 24-55 OR 24-63 for Southern Door Community Land Trust and DAR Developers, as they are BIPOC businesses that we should support. Highlights ARPA overspend of previous City Council, feels that politicians are not held accountable for consequences of decisions. Regarding police, feels confused by the helpless tone of government officials regarding controlling ATVs, given highly militarized nature of Binghamton Police Department. Suggests creating points of contact between police and community members; believes funds would better be used investing in community growth
- John Solak, Binghamton resident: Wants to abolish Blue Bag garbage bags starting in January 2025 in favor of putting garbage fee on water bills as in Johnson City. Suggests garbage can be placed in ordinary garbage bags in a can on the street. Notes that this is a longstanding issue, with immense stress on residents to find blue bags in stores that no longer exist, as well as issues with vermin for people that cannot take garbage out on time. Believes there is a way to recuperate this revenue in taxes from other sources, particularly given the longer timeline. Points out that Stadium 138 is currently paying no money in property taxes
- Matt Ryan, Binghamton resident: Regarding RL 24-71, believes Council needs to “see, think, slow down, and hold over.” Notes that Council was largely elected to promote housing and \$3 million could be used to do more. Gives overview of Municipal Bond Banking program, which enabled former administration to sell properties to NYS for tax liens, creating secondary real estate market. Notes Ryan administration worked with RestoreNY program to rehabilitate many remaining properties, then had MBB properties returned to be rehabilitated, as well. Asks Council to be more thoughtful in engaging residents and other representatives to create economic development agenda for long-term growth. Reiterates that Council should consider affordable and equitable housing as most important goal; supports reassessment and tax equity

IX. SECOND READING LEGISLATION

Motion to move on to Second Reading Legislation: Porter

- Second: Middleton
- Vote: 7-0-0-0



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Introductory Local Law LL24-01. Considered in Municipal and Public Affairs: Middleton An Ordinance to amend Chapter 400, Vehicles and Traffic, adding the prohibition of operation of off-road vehicles in the City of Binghamton
An ordinance amending Chapter 400 of the City Charter, Vehicles and Traffic, adding the prohibition of operation of off-road vehicles in the City of Binghamton

- Motion: Middleton
- Second: Dundon
- Discussion: Motion to amend Section C from \$2,000 to \$1,000": Cavanaugh, Second: Kosty, Vote: 6-1-0-0, Nay: Kosty; Motion to amend Section 400-119 Enforcement to add reporting requirement: Cavanaugh, Second: Middleton, Vote: 7-0-0-0; CM Cavanaugh is satisfied and hopes bill proves useful, notes partnership with administration. CM Mativetsky is happy to see this come to vote, knows it is very important to South Side constituents. Pleased that Council was able to partner with Executive branch to find a version of the law that is mutually agreeable
- Vote: 7-0-0-0

IX. FIRST READING LEGISLATION

Motion to move O24-29 to top of agenda

- Motion: Middleton
- Second: Dundon
- Vote: 7-0-0-0

Introductory Ordinance O24-29. Considered in Municipal and Public Affairs: Middleton An Ordinance to amend the Code of the City of Binghamton, Chapter 400-18, to add a budget line for impound fees for ATVs

- Motion: Middleton
- Second: Porter
- Discussion: CM Hotchkiss believes this change is an important shift in the law to put funds in correct place
- Vote: 7-0-0-0

Introductory Ordinance O24-27. Considered in Employees: Porter An Ordinance to amend O24-21 Sections E and F to make clear that all payments will be deducted first from New York State pensions

- Motion: Porter
- Second: Dundon
- Discussion: CM Cavanaugh notes this is further amending a previous ordinance to cover cases in which one's pension may not cover full cost of health insurance benefit, provides mechanism to pay out of pocket if necessary
- Vote: 7-0-0-0

Introductory Ordinance O24-28. Considered in Planning: Hotchkiss An Ordinance to reformat R23-92 to meet NYS Office of Parks, Recreation, and Historic Preservation Environmental Protection Fund resolution requirements

- Motion: Hotchkiss
- Second: Porter



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- Discussion: CM Cavanaugh notes he is frustrated with New York State as the original text met all requirements, but must be altered for formatting reasons
- Vote: 7-0-0-0

Introductory Ordinance O24-30. Considered in Finance: Cavanaugh An Ordinance to amend the 2024 General Fund budget to pay settlement

- Motion: Cavanaugh
- Second: Dundon
- Discussion: CM Cavanaugh notes this is a legal and personnel matter, not much can be discussed publicly, but believes this is a step in the best long-term fiscal interests of the City. CM Mativetsky notes she was not at the Work Session where discussion took place, therefore will abstain
- Vote: 6-0-1-0
- Abstain: Mativetsky

Introductory Resolution R24-26. Considered in Public Works: Middleton A Resolution authorizing the Mayor to enter Supplemental Agreement No. 2 with GHD Consulting Services

- Motion: Middleton
- Second: Dundon
- Discussion: Motion to amend budget lines: H8120.590011.F0015 Sewer Pump Station line to replace A1440.54420 Technical Services line: Cavanaugh, Second: Middleton, Vote: 7-0-0-0
- Vote: 7-0-0-0

Introductory Resolution R24-27. Considered in Planning: Hotchkiss A Resolution authorizing the Mayor to accept a grant from the Broome County Small for \$25,000 for a mural at Mirabito Stadium

- Motion: Hotchkiss
- Second: Middleton
- Vote: 7-0-0-0

Introductory Resolution R24-28. Considered in Planning: Hotchkiss A Resolution authorizing the Mayor to accept a grant from the DOE for \$76,690 for purchase of electric vehicles

- Motion: Hotchkiss
- Second: Middleton
- Vote: 6-1-0-0
- Nay: Dundon

Introductory Resolution R24-29. Considered in Planning: Hotchkiss A Resolution authorizing the Mayor, or his designee, to accept a donation of public art from Caitlin Davey and James McIllroy

- Motion: Hotchkiss
- Second: Middleton
- Discussion: CM Hotchkiss clarifies that this is for a tunnel along the Susquehanna river, student wants to donate art. CM Cavanaugh notes this has been approved through multiple boards and commissions, extends



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thank you to the student for donating this art before graduating to help improve the City

- Vote: 7-0-0-0

Introductory Resolution R24-30. Considered in A Resolution to support New York State Assembly Bill S8036B

- Motion: Middleton
- Second: Dundon
- Discussion: CM Kosty asks about difference between this bill and S8622; CM Cavanaugh clarifies that text of S8036B was in previous Work Session packet to support infill housing. CM Hotchkiss reiterates support for this bill to use infill housing as a mechanism to deal with housing crisis in Binghamton. CM Middleton agrees this will fill an important need that was voiced by residents in public comment. CM Mativetsky concurs that this is an important way to expand housing while reducing environmental impact
- Vote: 6-0-1-0
- Abstain: Kosty

XI. COMMUNICATIONS FROM COUNCIL

CM Middleton: First Westside Community meeting on 4/25/2024 at 6:30 PM at Unitarian Church; Harper Stantz Clean Up at various schools 4/27/24 at 9:00 AM

CM Porter: First Ward Neighborhood Watch meeting on 5/14/2024 at 6:15 PM at Woodrow Wilson. Briefly discusses events from 4/20 event and thinking about restrictions on freedom related to national policy Project 2025, BLM protests, and January 6th events, notes that he will continue to explore these themes to protect constituent rights

CM Dundon: Free food and hygiene product giveaway in memory of Aliza Spencer at the Hands of Hope Methodist Church on 270 Robinson Street; reiterates commitment to justice for the memory of Aliza Spencer; Worker's Memorial Day on 4/28/2024 2:00-5:00 PM at American Legion Post 1645

CM Kosty: Offers condolences to friends and family of Officer Jensen of the Syracuse Police and Lieutenant Hoosick of Onondaga Sheriff's Office; invites constituents to email regarding abandoned/dilapidated housing on South Side

CM Hotchkiss: Thanks everyone for coming to share comments; thinking about North Depot project, reiterates commitment to creating affordable housing and desire for developers to commit to including affordable housing in plans; is doing research regarding Blue Bag program alternatives and increased garbage dumping on the North Side

CM Cavanaugh: Attended New York State Preservation Conference in Rochester, met with other municipal planning officials to share ideas about historic preservation and planning

CM Mativetsky: Visited Water Filtration Plant with CM Hotchkiss and CM Porter; encourages residents to check online for all current City of Binghamton employment opportunities; in light of CVS closure announcement, highlights UHS Pharmacy on Pennsylvania Avenue as alternative option, including programs related to harm reduction; attended South Side clean up on 4/20/2024; South Side neighborhood meeting on 4/24/2024 at 7:00 PM, will work on navigating around City Council meetings; "Breaking Down the Silos" South Side Showcase on 5/8/2024 at 7:00 PM at Number Five Commons; Discovery Center free admission night and art show May 1 7:00 PM, Kid's Cultural Kaleidoscope 4/27/2024 10:00 AM-2:00 PM

XII. ADJOURNMENT

Motion: Kosty

Second: Middleton

Vote: All in favor