



# 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, August 21, 2024

#### I. CALL TO ORDER

At 6:01PM by President Mativetsky

#### II. PLEDGE OF ALLEGIANCE

Led by President Mativetsky

#### III. ROLL CALL

Present: Mativetsky, Kosty

Also Present: Sarah Dinhofer (City Clerk), Robert Heary (Asst. Corporation Counsel)

Absent: Porter, Middleton, Cavanaugh, Hotchkiss, Dundon

#### IV. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES

#### V. PUBLIC HEARING

#### VI. SET PUBLIC HEARINGS

1. The City of Binghamton will hold a Public Hearing regarding RL 24-161: An Ordinance authorizing the sale of a portion of Overland Drive to Mian N. Shah

2. This Public Hearing will take place at 6PM during the September 11, 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](mailto:clerk@cityofbinghamton.gov) or in-person during the meeting.

#### VII. 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](mailto:clerk@cityofbinghamton.gov) or in-person during the meeting.

#### VIII. REVIEW OF MAYORAL VETO

##### **Introductory Ordinance O24-62. Rules and Procedures: Hotchkiss**

An Ordinance to amend the City Code Section 26(6) to align with Open Meetings Law

*\*Veto letter read into record and appended at end of minutes.*

#### IX. COMMUNICATIONS FROM COUNCIL MEMBERS



## LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

*Hadassah Mativetsky, City Council President*

*Sarah Dinhofer, City Clerk*

---

**X. ADJOURNMENT**

All other business closed due to lack of quorum.

Meeting adjourned at 6:07PM.



Mayor Jared M. Kraham

## Office of the Mayor

Aug. 12, 2024

President Hadassah Mativetsky  
Binghamton City Council  
38 Hawley St.  
Binghamton, NY 13901

President Mativetsky,

I have vetoed *Ordinance 24-62, An Ordinance to Amend the Code of the City of Binghamton, Chapter 26.*

State law and this newly drafted version of our code require these materials be posted within 24-hours of the meeting “to the extent practicable.” The prior version of the law that was recently changed by Council required that “A digital copy of every proposed Local Law, Ordinance, or Resolution shall be available to the Mayor and City of Binghamton employees at least 24 hours prior to its inclusion as first read legislation.” I support this prior language as it places a stricter burden on City government to make sure that the public, and City Hall staff and employees, are on notice of the items up for discussion by a public body.

Prior to this veto message, I reached out to get input from Council members. Part of the input I received is that there is good faith confusion as to what “the extent practicable” means legally. This deserves further discussion, as does exploring practical barriers in the posting of materials and the timeline of legislative actions.

Keeping this local strict 24-hour requirement is a good backstop against costly litigation. If City Council fails to publish its agenda and resolutions in accordance with state Open Meetings Law, it opens the City to potential litigation which could invalidate legislation. The litigation would require in-house legal resources to defend these claims or outside counsel expenses.

In sum, I don't yet understand Council's intent or have yet to hear a reasonable argument that requires this change. When dealing with matters of open government, we should err on the side of greater transparency and notice unless there is a compelling argument against it.

Sincerely,

Jared M. Kraham  
Mayor