



LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

Hadassah Mativetsky, City Council President

Sarah Dinhofer, City Clerk

COUNCIL OF THE CITY OF BINGHAMTON

Committee Meeting Minutes: Municipal and Public Affairs

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

5 PM Thursday, July 18, 2024

I. CALL TO ORDER

At 5:02PM by Chair Middleton

II. ROLL CALL

Present: Middleton, Dundon, Cavanaugh, Porter, Mativetsky

Also Present: Sarah Dinhofer (City Clerk), Sophie Bergman (Corporation Counsel), Megan Heiman (Deputy Mayor), Samantha Costello (Deputy City Clerk)

III. DISCUSSION

RL 24-136: An Ordinance to repeal Chapter 292, Noise, of the City Charter and Code of Ordinances program

RL 24-137: An Ordinance to establish Chapter 292, Noise, of the City Charter and Code of Ordinances

- Bergman: Proposed law would eliminate the need for decibel meter readings and instead rely on 11 factors for officers to consider in determining a noise violation. Enforcement would follow the standard process for other municipal code violations, with officers issuing citations that would then go through the City Court system. The goal is to provide a more practical and flexible approach compared to the current ordinance
- CM Cavanaugh: Asks if Code or Animal Control could assist in enforcement; Heiman answers that current workloads of Code/Animal Control would not allow them to assist
- CM Dundon: Notes concern that factors are able to be considered in an unbiased manner and not at individual officer's discretion; Heiman responds that City Court Judge would have ultimate discretion. CM Dundon adds that officers would still be using discretion for issuance of tickets; Bergman responds that more concrete definitions can be considered
- Costello: Asks if law would affect existing special variances issued by Clerk's Office; Bergman responds unclear in proposed law – could be worked into language to accommodate Council's preference
- CM Middleton: Expresses concern that workload would be raised for police officers; Heiman responds that officers have obligation to respond regardless of ordinance
- CM Middleton: States that definition of "Unnecessary noise" is too vague for enforcement
- Bergman: Suggests town hall meeting to hear feedback from City, Mayor's office can put out word to media. Was formulated in response to constituent complaints received by Mayor's office.
- Costello: Suggests consolidation of Charter language re: noise and consideration of public education aspect in drafting of legislation to ensure that public is aware of changes; Bergman suggests Council hold Town Hall/public hearing; Heiman agrees to publicize through Mayor's Office, as well
- CM Porter: Asks if proposal would affect stadium/fireworks; Heiman replies unsure at this time
- CM Dundon: Reiterates that ambiguous pieces of law will cause more issues, believes current proposal would help City residents
- CM Cavanaugh: Asks about potential corporate citation to ensure construction companies receive violations, rather than individual laborers; Bergman agrees to look into drafting language

- CM Middleton: Agrees with CM Dundon's concerns about lack of clarity in language
- CM Mativetsky: Notes interest in receiving legal support in writing legislation at the same level as Mayor's office. Expresses desire to have been looped in sooner as Council President into drafting of proposal, particularly considering several Councilmembers have been putting effort towards reforming noise ordinance for some time

IV. ADJOURNMENT

- Motion to adjourn at 5:46PM: Dundon
- Second: Middleton
- All in Favor