

Diaz ([00:02](#)):

So thank you. The next item that we have on the agenda is a general ordinance amending chapter 66 of the code of the city of Yonkers, known as noise relating to prohibited noises. Now, this is a piece of legislation that I introduced and the reason why I introduced that is because the old legislation that's on the books has not been updated for years and we're getting a lot of complaints about people saying that they're loud at their homes and that kind of things. But then when you look into the decibel readings, the decibels are low. And as you know, there has been a lot of building and Yonkers, a lot of development. People are closer together and people think that it's a violation just to hear your neighbor speaking. And if you look at the code, a violation can consist of your tv, your radio, little small things like that. So one of the things that I did was I got a decibel reader and I've been doing my due diligence and going around to different events with this decibel reader to get the readings. So just in this meeting today, commissioner and we all know he's low spoken. He spoke at 49 to 54 decibels. That was just him alone. Corazon [Councilperson Corazon Pineda] spoke at 60 decibels. That's just her by herself. Merante [Council member Anthony Merante] was at 58, Matt [Matt Gallagher, Yonkers Corporation Counsel] was at 64. Of course it was

Matt Gallagher ([01:39](#)):

A competition between me and the deputy mayor is who the loud person in City Hall.

Diaz ([01:44](#)):

Breen [Council Mike Member], on the lower end was at 55. When he got high pitched, he was at 64. Shanae [Shanae Williams Council Member] spoke at 62 at her lowest, and 68 was her highest. And me sitting here, I'm speaking at 70. So that right there lets us know that the code is outdated and it needs to be updated. So I'm asking that the council please support myself. And the majority whip on this piece of legislation for residential properties, it was 60, it was 55, so everybody in this room would be in violation if they were home with the decibels. Commercial properties were at 50. So we wanted to know if we could kind of raise the decibels to fit the community depending on what part of the city you live in, if you live more on the south side of Yonkers, you're going to speak louder, you're going to speak at a higher pitch.

([02:40](#)):

We have a lot of transportation, a lot of stores, bodegas, those kinds of things in the area. So we do speak at a higher pitch as opposed to if you go to say where Crestwood is, it's going to be more quieter. Why? Because there's more houses and things. People kind of tucker down a little bit earlier than we do on the south side. Or sometimes people could be outside and you could just be having a conversation. They'll call, and I know commissioner, you probably noticed, they'll call the police department and say something is going on outside. And it's just people gathering and talking. **My point in bringing this legislation is I want people to be able to enjoy. If you have an apartment or you have a home, people are calling the police because they're having people over at their pool or they're having, they're enjoying the summers.**

([03:24](#)):

And I just think that that's not fair. If you own a piece of property, you should be able to enjoy your property. You're paying taxes on it. People shouldn't be spying on you. I mean, some of the calls that I get about apartment buildings you, I mean I'd rather not talk about it in the committee, but some of the things that people have called me about, I hear somebody walking the buildings are giving them violations because this is in the ordinance because they're calling the managers and saying, I could hear

the person walking over top of me, or I could hear the person's telephone ringing. I can hear someone talking in the next room. A lot of these buildings don't have good insulation. So if you looking at, I think that people are being penalized because the code has not been updated and I'm just asking, hopefully I can get some support from my council so people can actually hang out and enjoy covid. Everybody was indoors and yeah, during Covid, everybody was indoors and everybody was cooped up and now people want to come out and enjoy their properties and they're not able to because we have an ordinance that is not fitting to the city in my eyes. I see. We have a question from Councilman Merante.

Merante ([04:32](#)):

Thank you Madam Chair. So this desk will read that. I know we have it up on your deco with when was it last calibrated and who did it, when was that calibrated? I don't know that. How do we know that thing's working properly? I want documented evidence of the calibration testing on that to make sure that it's true. I cannot believe that this is 65 and 60. What are you talking about? I'm sorry. Anyway, I got to tell you, it's pretty interesting that the way the numbers are, but I don't think I'm going to be able to support the increase of the decibel level because like you said, something seems kind of wrong here and I don't, people just talking being at a hundred, I don't get those complaints. I mean, my complaints on the noise side are the people playing music at people are adaptive to having parties.

([05:25](#)):

We are allowed people, the neighbors are good. It's just that when it gets past a certain hour or something, when the music, I don't want to hear your music after 10, 11 o'clock at night, especially if you started at four in the afternoon. There's certain things in this, but I dunno, I don't think I'm going to support this legislation, but I'll, I'll leave it up to my colleagues because the decimal, I don't trust decimal readers. You're a party pooper. No, I enjoy parties. But the point of the matter is that I know the intent is really to stop people from the music and extent. I mean, after, again, everyone enjoys a good party 11 o'clock at night, you got to tone it down a little bit and then at a certain point,

Diaz ([06:05](#)):

Well the ordinance stops at 10, sir, so they shouldn't be playing after 10. [Note: the amendment increased the nighttime noise limit from 50 decibels to 65 decibels].

Merante ([06:09](#)):

I'll see what the rest of my colleagues have to say to see.

Speaker 1 ([06:11](#)):

Of Course, let, let's see. I like to hear. See you live in a more suburban part of town. I do. So you probably won't get these calls, but if you live on this side of town, you do get these calls. I have people that work in the city that had said that they have gotten violations from their building owners because they had their TV on or because someone came over. When you're in an apartment and you packed maybe eight to 10 people in an apartment, it's going to be loud. So why should they be penalized because they're having company. That's my whole subjective,

Merante

I hear you loud and clear. I like to hear the comments. Thank

Diaz ([06:42](#)):

You, council...

Rubbo ([06:42](#)):

Let's see what they have to say....

Unknown speaker

[low audibility] We already used those four meters. She's just trying to....

Diaz ([06:46](#)):

Is there anyone else that would like to speak on this piece of legislation? Councilman and Majority Whip [John] Rubbo.

John Rubbo ([06:58](#)):

Thank you Madam Chair. These slight increases are, see, I guess you also didn't really get a sense of how loud I was, right? I didn't get to speak earlier, but these levels at 55 decibels right now, between the hours of 7:00 AM and 10:00 PM, 55 decibels is a very low number. And as the majority leader said, it is time we take a look at these figures. I think it's important to have discretion from the police department, which this legislation or these changes to the ordinance would allow. There's still discretion from the police department. So if someone is having a very loud party, very loud party, and I think I gave an example a little earlier to the majority leader in the police commissioner is there was a very loud group that was up at Fleming Field. And because of the Seven Hills in Yonkers, you could hear the sound travel, the music travel over the Sawmill Parkway over Yonkers Avenue and up almost to St.

([08:18](#)):

Joseph's seminary. And I was driving around this neighborhood trying to figure out, it was someone from Senator Mayer's office actually called me. She lives in the area and she said, where is the sound coming from? It sounded like it was coming out of her backyard, but after driving around, it was from Fleming. And believe it or not, even at that, it was only at roughly 75 decibels, I think, as they went to find. But I think the point to be made is that this is an ordinance that is older, the city is growing. We want to take into account people's quality of life, which is I think something that we need to discuss. And that's why I'm hopeful to hear from the police commissioner. But I believe 85 is not a number that will affect the quality of life of our residents, especially before 10:00 PM. And I too get these calls about sound and parties and normally they are taking place after 10:00 PM volleyball games in someone's backyard until one and two o'clock in the morning. I certainly didn't get invited to those parties, but maybe the police commissioner can give us a little bit more.

Police Commissioner Sapienza ([09:34](#)):

So we already use decibel meters now. It's not something that you're looking to do differently or new. We already check sound using decibel meters. So to raise that number to a number that's more realistic, I think that's just updating what we already do and doing it. So in a reasonable way, don't, again, I'm cautious to go after marginal violators and that's what seems to happen. If you have 55 or 85 decibels or 55 as it exists, I don't know the number off hand. And again, by raising that clearly that this person is violating the law and at that point you could address it. So I think that's a good thing.

Diaz ([10:22](#)):

Thank you, commissioner. Next we have counsel Councilwoman Pinedalsaac.

Pineda Isaac ([10:28](#)):

Thank you so much. Chairwoman. Learning that I was at 60 decibels allows me to know that I'm in violation almost every day of my life once I get home because I code switch very quickly as soon as I get home. And that's probably the reason why I live in a multifamily. [Note: the ordinance did not change the decibel limits for residents of multi-family dwellings]. My neighbor on the second floor doesn't talk to me, so it probably has to do with me and my children being in violation. But no, on a serious note, I do think that these numbers make sense. And given that there's a time constraint, we're not saying that folks could be at certain decibels after the later hours [Note: as cited above, the ordinance increased the night time limit from 50 to 65 decibels] I would be supportive of this. And I think it just makes sense with our growing city, with our changing communities and with the fact that the decibel sounds from what I learned today, it's not what I thought it was. So thank you madam Chairwoman for introducing this.

Diaz ([11:30](#)):

Thank you. Don't feel bad. I was at 70. So are there any further questions relating to this piece of legislation? Is anyone in objection to moving it out or would they like to keep it in committee for further discussion? So with that being said, I guess it's safe for us to move it out of committee and with no further hands raised, that wraps up today's environmental policy committee. And thank you all for coming out.