

May 8, 2018

Schultzville, NY

A public hearing on proposed LL XX of 2018, **Amendments to Article II of Chapter 214 of the Town Code Extending Certain Prohibited Activities to All Town Owned Properties**”, was held on this day in the Town Hall. Present were Supervisor Oberly, Councilmen Dean Michael, Eliot Werner, Michael Whitton, Nancy Cunningham and Town Clerk Carol-Jean Mackin. There were 37 people in the audience.

### **PLEDGE OF ALLEGIANCE**

At 6:25 PM, Supervisor Oberly called the public hearing to order and led the Pledge of Allegiance.

**PUBLIC HEARING NOTICE:** Town Clerk read aloud.

### **PUBLIC HEARING**

Supervisor Oberly explained this is a public hearing to hear comments on proposed local law: Town Code Extending Certain Prohibited Activities to All Town Owned Properties. He opened the floor for comments, capping the comments at one hour’s time:

Lynn Tompkins – totally against the proposed law. Her main concern is the horseback riding prohibition on roads and prohibiting dogs on town property. Some roads belong to the Town so she wonders how we transport our dogs. Concerning prohibiting guns, if she has a carry permit, she would have a gun with her in her purse. She feels safer. A no gun zone is asking for trouble, supports 2<sup>nd</sup> amendment rights. Says retired police should also be listed as exempt. Overall, she feels there are too many restrictions on the people.

Councilman Eliot Werner clarifies the misunderstanding on horses: he clarified that horseback riding is prohibited on Town property. People may ride horses on the roads.

Sarah Love - need to clarify that horseback riding is allowed on roads. Eliot agrees and said that the law needs clarification of transporting domestic animals.

Zac Snow – Library trustee, the Library prohibits staff from carrying guns but not patrons. Frightened to speak thinking an audience member tonight may be carrying a gun. Feels the proliferation of guns does not promote safety.

Joan Carbonaro – asks people to act responsibility please. Feels the Town Board is remiss if they pass this law without a full time armed guard.

Cynthia Koch – in favor of the proposed law with reservations about taking a law written for parks and spreading it to the entire town facility. Please consider banning firearms from interior of the buildings, perhaps a separate law to address this issue for safety in our complex. Referred to a NY Times article saying schools and parks have metal

detectors but the capitol buildings do not. Asks the Board to consider posting notices that weapons are barred and leave it at that. She stated that the President and VP are currently attending the NRA meeting and the Secret Service banned the public from having guns from the meeting they were in. We are not safer with guns.

Ken Krauer - retired police officer; he can carry in NYC and you want to ban carrying in Town. Thinks the law stinks.

Ben Rathjen – gun free zones don't work. References shootings around the country that occur in gun free zones.

Jim Brands – Council people are elected to be stewards of the Town. Senses a change with the Town Board with a bill of the month coming forward to solve problems that arise. Feels this law is unnecessary, it is turning neighbor against neighbor. Points out law says no one can ride on a town road with a gun, laws are interpreted literally so that will be a problem for many going hunting as they drive to their hunting land.

Alyssa Kogon – asks Board to table the law, she feels the Board took the easy route by taking the existing law for parks and using it for the entire Town property.

Steve Rathjen – feels the law is making criminals out of law abiding citizens. At the transfer station, many people bring dogs, which are prohibited in the law. NYS law gives concealed carry permits and they are law abiding citizens, criminals love gun free zones. Please vote this down and also consider changing the current law covering the rec parks.

Sam Moyer – a gun owner, feels he started this conversation after the Parkland school shooting. Nervous bringing daughter to town property if there are guns. Guns go off and accidental shootings occur.

Russ Tompkins – there are a lot of problems with the law. Said some roads are town owned property; feels this is an oversight of the Board as this law will extend not only to the Town complex but these town roads as well. Reviewed sections of the law that prohibits horses and transporting dogs. Feels the law infringes on the second amendment rights. Begging and soliciting on town property, he feels politicians are soliciting, at Christmas time the boy scouts sell wreaths so we will need to prohibit them according to this law. Urges them to vote down the law.

Norene Coller – her father was a WW1 soldier, wanted her to never own a gun. Respects gun owners but not here in Town Hall.

Lisa Bittner – urges no vote, the law is ambiguous and many items are undefined. Reviewed her criticisms claiming the law restricts many legal practices, including selling raffle tickets and transporting your dog; concerning item L, disturbing the peace: that is every child in the rec park; concerning item O, no loitering: there is already a State law, so why duplicate? Says the law needs more clarifications. Complained about poor cell service and when she is alone in rec park, she is vigilant. So, if she has a problem, cell

service is poor and she asks what is the typical response time for police? Asks Board to not vote tonight to separate out items and better define certain sections.

Jack Auspitz – keep a sense of proportion. Understands we are extending an existing law that applies to the parks. Many are uncomfortable about people carrying guns in the Town Hall. We need to be respectful, this seems to be very civilized discussion about policy disagreement. Points out that we have limits to all of our constitutional rights, we should be sympathetic to those who don't feel comfortable with guns.

Jody Rathjen – we are never going to agree on gun control. She sleeps good knowing there are guns in her home; she feels protected. Police take a long time to arrive out here. The issue is no enforcement of the law that already exists. People with a permit have a right to carry and pointed out there are people here tonight who are carrying. Gun free zones don't work. Other laws already cover a murderer or someone menacing, so this is a waste of money to create. She asks: Is the law practical? You would never know if a concealed carry person was present; she asks Councilman Werner if he is going to frisk people as they enter the Town Hall to enforce the law. Eliot Werner observes most people are honest and if there are rules people will follow them. For example, speed limits. He feels most people won't carry guns to Town Hall if there is a law.

Jane Brian – supports banning firearms from Town Hall.

Richard Morse – commends Town Board for tackling a touch topic. Feels they are being good stewards as such. More guns equal more gun accidents. More comfortable with less guns around. The law need clarification.

Kevin Dooley – quotes 98.4% mass shootings are done in gun free zones. As a responsible gun owner, he must be responsible to his gun. Feels criminals like gun free zones. The illegal guns cause the problems, not permitted owners.

Randy Sacheim- most mass shooting guns are legal. Not comfortable with guns in public places.

Cathy Evans - in favor of the law. Thanks the Board for dealing with a difficult issue.

Bernadette Duquette – in favor of restrictions on guns, nervous to be around guns. Family members are gunsmiths and served in war. She became nervous seeing someone walking on Hollow Road with a gun recently. Should be no guns in public areas.

Arthur Weiland - does not see how the law can be enforced and sees no fines in the law.

Al Robasco – pro gun owner, it's a big responsibility. Difficult to get a carry permit. Notes there is no sign in our parks to say gun carrying is illegal. Ray agreed. There is no problem here so why we are addressing this? Feels a permit gives him the right to carry, so this law would not apply. The Town should stay out of this law, it is a State issue.

Supervisor Oberly stated the one-hour limit has come.

**ADJOURNMENT**

At 7:26 PM, MM Supervisor Oberly, 2<sup>nd</sup> Councilman Michael to adjourn the meeting. All aye. Motion carried.

Respectfully submitted,

Carol-Jean Mackin,  
Town Clerk