

Canandaigua Town Board 4/29/13

Met on 4/25 to discuss a subdivision application on County Road 16, and will provide a report back to the Planning Board.

RESOLUTIONS:

2. Moved by Councilperson Brandt, seconded by Councilperson Helming

TOWN of CANANDAIGUA TOWN BOARD RESOLUTION

REPEAL OF THE NEW YORK SECURE AMMUNITION AND FIREARMS ENFORCEMENT ACT OF 2013

WHEREAS, the New York State Legislature recently enacted and Governor Andrew Cuomo signed into law The New York Secure Ammunition and Firearms Enforcement Act of 2013 ("NY SAFE ACT"); and

WHEREAS, each and every issue that comes before the New York State Legislature before an enactment deserves a fair and open discussion which incorporates all points of view in order to ensure that all citizens are heard and that the Legislation incorporates the various points of view expressed during that discussion and benefits all of the citizens of the State of New York; and

WHEREAS, the NY SAFE ACT was adopted after minimal public discussion, contains serious flaws, ~~and~~ ~~police officers are not exempt~~, and having been on the desks of the members of the New York State Legislature for only a few hours, thereafter was literally adopted in the night and signed into law by Governor Andrew Cuomo; and

WHEREAS, amendments were made to the Open Meetings Law (Public Officers Law Section 103), requiring a public body prior to a meeting to post on its website, to the extent practicable, for public benefit all records that may be considered or discussed at that meeting; and

WHEREAS, A. 107 has been pre-filed before the New York State Assembly for the 2013-2014 Regular Session, to amend the Public Officers Law (Sections 84 and 90) in relation to publishing records of public interest by agencies and the State Legislature, reading in part "...The people's right to know the process of governmental decision-making and to review the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality ..."; and

WHEREAS, the State of New York has a tradition and long history of conducting its deliberations and debates in the public view and that in the enactment of the NY SAFE ACT the New York State Legislature and Governor Andrew Cuomo acted in contradiction of this long, time honored tradition of an open government; and now, therefore, be it

RESOLVED, that the Town Board of the Town of Canandaigua acting on behalf of our constituents join Assembly Minority Leader Brian Kolb, NYS Senator Michael Nozzolio, Ontario County Sheriff Philip Povero and many other levels of government in New York State calling for the repeal of the New York Secure Ammunition and Firearms Enforcement Act of 2013 ("NYS SAFE ACT");

RESOLVED, that the Town of Canandaigua Town Board hereby directs the Town Clerk to send certified copies of this resolution to Governor Andrew Cuomo, Senator Michael Nozzolio, Assemblyman Brian Kolb, Ontario County Sheriff Philip Povero and the NYS Association of Towns.

Moved by Councilperson Helming, seconded by Councilman Brandt to amend the resolution.

5 ayes: Fennelly, Helming, Westbrook, Brandt, Casella

Moved by Councilman Brandt, seconded by Councilperson Helming to adopt as amended.

5 ayes: Fennelly, Helming, Westbrook, Brandt, Casella

3. Moved by Councilperson Brandt, seconded by Councilperson Fennelly, that the Supervisor be authorized to sign the PSA with Public Sector HR for services for a Drug and Alcohol Policy and Supervisor and Employee training on the Employee Handbook.