



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, July 6, 2015 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL – 7 Present, 1 Absent (Councilmember Hermann)

II. REVIEW OF MINUTES:

III. READING OF ITEMS by the City Chamberlain of any resolutions not listed on the printed agenda.

IV. PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.

Ken Stickle 118 Catharine Street: says that he was attacked at the last council meeting when a councilmember told him to shut up and that he was a troublemaker, wants a public apology from Councilmember Rich for how he spoke to him at the last council meeting and how he treated the audience

Stanley Moss 132 Morgan Court: mentions all of the organizations he's a part of, talks about how other places have similar issues as Poughkeepsie (not as bad, he says) but they deal with them differently, parents are worried about their kids being in the parks and volunteering there, someone needs to talk to the public on a regular basis and let them know what's going on

Darrett Roberts 148 Franklin Street: thinks anyone who would say anything against a city official is "an outrage to every decent human being in the city of Poughkeepsie", every human life is a life no matter what, wants to save the youth of Poughkeepsie, semi-incoherent description of his getting a membership from the NRA but that he won't get a membership to an organization that doesn't respect people's duties(?)

Warren Jones (no address given): has family members who are or were police officers so he definitely thinks that people should respect and obey the law, the common council should also be truthful to the people who elected and voted for them, integrity is important to all, right to bear arms – against Safe Storage, SAVE WHEATON PARK

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Tama Bell (Hook Road): her son (who is mentally ill) was shot on Mansion Street, as a health care worker she has seen the horrendous effects of the shootings recently and past, we should be outraged, plugs SNUG, says that bringing the YMCA back to what it was would be great, there's still no job for our kids and there are still the same issues, would not let her children go to the Y, concerned about the violence, pleads with the council for their help

Alex Dubrough (Phillipstown, NY): Hudson Valley coordinator for New Yorkers Against Gun Violence, thanks to the council members who have stood up for the Safe Storage Act despite the attacks and threats

Gregg Bull (Stanfordville, NY): reads the Second Amendment, for Safe Storage Act

Kevin Cote (Warwick, NY): thanks Councilmember McClinton, thanks Councilmember Perry for "standing for god", inappropriate religious jargon, against Safe Storage Act

Aidan Jackson (Claremont, NY): unintelligible – talking too far from mic to be heard

Laura Downing 25 Lincoln Avenue: also wants an apology from "a certain councilmember", tired of being demeaned by this councilmember, also says that anyone who has a gun legally knows how to use it and how to be safe (against Safe Storage Act), compares Poughkeepsie to the 'OK Corral' claiming that we're used to the shootings, says so much is being taken away from residents and says there's nothing left, they have alienated a park and there's no money to fix the city, no money for the kids, appreciates the Y coming back, need to have something for the kids, thinks they have their priorities wrong, reiterates that she wants an apology from Councilmember Rich

Katie Green (Whitehouse Avenue): for Safe Storage Act

Steven Planck 25 Carroll Street: thanks City Administrator Bunyi, DPW, and Jerry Tierney for supporting the volunteers at Lower Kahl Rock Park, also thanks City Administrator Bunyi for restructuring the bond debt, complains about the expired union contracts, thinks that all new hires of the City of Poughkeepsie be required to live within the city, talks about Councilmember Rich's outburst being broadcast on Fox, agrees with Councilmember Hermann that they need a city planner, mentions Safe Storage Act (is unclear what his stance is: possibly against?)

Roisin Druta 45 Lagrange Avenue: regional director for New York Revolution, mentions the high rate of suicide within the country, the prevention of suicide is what should be addressed – not the cause, mentions a rumor about the city having a hard time making payroll for employees last week – wonders why the city would have considered a proposal for legislation that they would need to fund

Nick Castellano (Carmel, NY): against Safe Storage Act, reads a statement that calls Councilmember Rich 'Skeletor' (is asked to stop but keeps reading), says that it is their duty to be there (continues to talk about gun owner's rights)

John Saturfield 469 Maple Street: (the resident who had the issue with the loud neighboring business) says that he has record of texting his councilmember during the issues and of calling the police with no response, says he's done all he can and nothing is getting done

Christopher Zelleski (Wappingers Falls, NY): chapter chair of Dutchess County SCOPE, thanks the council for allowing them to come speak, against Safe Storage Act

Amelia Miller (Flannery Avenue): outraged about the funding being allotted for more police officers instead of the youth of Poughkeepsie, against Safe Storage Act, deal with our problems, do something for the youth

(Chairman Petsas eventually asks for Ms. Miller and Ms. Johnson to be removed from the Chambers for being disruptive, ineffective attempts to get the meeting back on track)

Constantine Kazolias 47 Noxon Street: wants to comment on the Nubian Directions sale, wants to know why there are cops there – there doesn't need to be in his opinion, speaks on the mayoral candidates – speaks against Councilmember Mallory and Candidate Rolison, continues on in a disjointed and rambling about his many more concerns – hard to get a clear idea

Raysonya Squire (aka Ray Ray aka 'Lady Peace', Gray Street): religiously thanks whoever is 'god's servants', thanks those with official titles and those without, claims that the 'resurrection' of the YMCA is a 'gift from god', continues on claiming that we all need god more than we need jobs, says we don't need more police – we need more effective programs, pushes everyone to 'get intimate with god', claims her soul is speaking to them

Nick Pagliuca (Somers, NY): against Safe Storage Act

Jazmine Vasquez (Lagrange, NY): says that the youth who are killing themselves and each other in the city of Poughkeepsie don't see any value in the people they are killing, wonders if the council – or anyone in the city – can see value in the youth of Poughkeepsie if they can find all of this money for a jail expansion but not to keep the YMCA open, she's scared for the youth of the city

Rose Rollin (Peekskill, NY): for Safe Storage Act

Ken Levinson 24 Garfield Place: wants to address a proposal that has been put before the council before involving the rezoning of Church and Academy Streets for a gas station and a 'convenient' Dunkin Donuts, thinks this proposal is a bad idea

Gwen Johnson 52 Manitou Avenue: has never seen more disrespectful behavior from not only council members but also audience members, says that people wonder where kids get the 'no respect for authority' attitude that they have, no one in Poughkeepsie is lobbying for Poughkeepsie, education is key, calls her son a role model because he never disrespects anyone and he's sitting on the common council

Kathleen Ringwood-Wood (gives no address): against Safe Storage Act

Melissa Whittaker 18 (Piedmont?) Avenue: here as a frightened mother, something needs to be done about the gun violence issue among the youth

V. MAYOR'S COMMENTS:

Not Present

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VII. MOTIONS AND RESOLUTIONS:

- 1. A motion was made by Councilmember Rich and seconded by Councilmember Mallory to receive and print.**

**RESOLUTION
R15-52**

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on July 6, 2015 at 6:30 o'clock p.m., local time.

The meeting was called to order by Chairman Petsas, and, upon roll being called, the following members were:

PRESENT:

Councilmember Christopher D. Petsas
Councilmember Joseph Rich
Councilmember Robert L. Mallory, Jr.
Councilmember Lee David Klein
Councilmember Ann E. Perry
Councilmember ShaRon McClinton
Councilmember Randall A. Johnson II
Councilmember Tracy Hermann

ABSENT:

The following persons were ALSO PRESENT:

Acting Commissioner of Finance Karen Sorrell

The following resolution was offered by Councilmember Rich, seconded by Councilmember Hermann, to wit;

RESOLUTION DATED JULY 6, 2015

A RESOLUTION AUTHORIZING THE COMMITMENT OF 2014 CDBG FUNDS IN THE AMOUNT OF \$25,000 TO PAY A PORTION OF THE COST OF THE WATER STORAGE AND DISTRIBUTION IMPROVEMENTS

WHEREAS, the City of Poughkeepsie (the "City") has heretofore authorized the issuance of obligations in the amount of \$11,688,000 to finance the construction of one or more water storage reservoirs at College Hill and including reconstruction or disposition of the existing tank, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental site and other improvements and expenses in connection therewith, and the reconstruction and replacement of water distribution lines at various locations throughout the City, to address water quality issues ("Water Storage and Distribution Improvements"); and

WHEREAS, it has been determined that the aforesaid purpose constitutes a Type I action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment; and

WHEREAS, the City has applied to New York State Environmental Facilities Corporation for financial assistance for the project, referred to as DWSRF Project #18120; and

WHEREAS, the City has approved its 2014 Annual Action Plan for the CDBG 2014-15 program year, including an allocation for Infrastructure Projects ("2014 CDBG Plan");

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than two-thirds of all of the members of the Common Council) as follows:

Section 1. There amount of \$25,000 from the Infrastructure Project allocation in the 2014 CDBG Plan is hereby committed and approved for the Water Storage and Distribution Improvements described herein.

Section 2. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Councilmember Christopher D. Petsas	VOTING _____
Councilmember Joseph Rich	VOTING _____
Councilmember Robert L. Mallory, Jr.	VOTING _____
Councilmember Lee David Klein	VOTING _____
Councilmember Ann E. Perry	VOTING _____
Councilmember ShaRon McClinton	VOTING _____
Councilmember Randall A. Johnson II	VOTING _____
Councilmember Tracy Hermann	VOTING _____

Official Minutes of the Common Council Meeting of Monday, July 6, 2015

The foregoing resolution was thereupon declared duly adopted.

Approved: _____, 2015

John C. Tkazyik
Mayor

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the ____ day of July, 2014 and entitled:

RESOLUTION DATED JULY __, 2015

A RESOLUTION AUTHORIZING THE COMMITMENT OF 2014 CDBG FUNDS IN THE AMOUNT OF \$25,000 TO PAY A PORTION OF THE COST OF THE WATER STORAGE AND DISTRIBUTION IMPROVEMENTS

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 7 day of July, 2015.

-SEAL-

Deanne Flynn
City Chamberlain

R15-52			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. A motion was made by Councilmember Rich and seconded by Councilmember Mallory to receive and print.

**RESOLUTION
(R-15-53)**

A RESOLUTION OF THE COMMON COUNCIL OPPOSING THE REDUCTION IN HOURS AT THE CITY OF POUGHKEEPSIE TRANSFER STATION

INTRODUCED BY CHAIRMAN PETSAS

WHEREAS, the City of Poughkeepsie Transfer Station provides a valuable service to the community by providing a place for residents to deposit rubbish, debris and bulk items; and

WHEREAS, formerly the transfer station was open six days a week, Monday through Saturday allowing the community to deposit such items conveniently and efficiently; and

WHEREAS, the City Administration has notified the Common Council of its intention to close the transfer station on at least one day during the week; and

WHEREAS, the policy will have a determinately effect on the community, lead to increase debris, bulky waste and rubbish on the City streets and reduce the efficiency now provided to City residents; and

WHEREAS, no information as to the cost efficiency, money saved or fiscal impact have been provided to the Common Council justify such a policy;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby states its opposition to the city administration adopting a policy of closing the transfer station for the reasons stated above.

SECONDED BY COUNCILMEMBER RICH

R15-42			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM PASTOR WHITTED**, a presentation regarding the future of the YMCA.
2. **A PRESENTATION FROM NEW YORKERS AGAINST GUN VIOLENCE.**

7/6/15

FIREARM SAFE STORAGE
Poughkeepsie, NY

July 6, 2015

NYAGV
New Yorkers Against Gun Violence

New Yorkers Against Gun Violence

- **Founded in 1993** by Brooklyn, NY mothers galvanized by the shooting death of a teacher in Prospect Park
- **Mission:** to reduce gun violence through legislative advocacy and education.
- **Members** throughout New York State. We partner with community groups, local officials, law enforcement and individual citizens across New York State to build a coalition of real people who are taking a stand against gun violence.
- **Primary Goal:** to keep guns out of the hands of dangerous people and provide law enforcement with tools to prevent and combat gun violence.

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www.nyagv.org

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Gun Violence in America

- **33,636** died from guns in 2013 = 92 deaths per day
- **84,268** nonfatal injuries in 2013
- **Nearly 120 million** gun deaths and injuries costing **\$229 billion** each year (source: Pacific Institute for Research & Evaluation)

New Yorkers Against Gun Violence
www.nyagv.org

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Children and Guns

- **Gun violence is the 2nd leading cause of death among American youth.**
- **An American child is killed or injured every 30 minutes.**



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Children and Guns

- In 2011, 389 NY children under 18 were hospitalized with nonfatal gun injuries, 60 were unintentional.
- In 2013, 43 NY children and teens died from gun violence.

http://nyagv.org/resources



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Children, Guns and Suicide

- Suicide is a leading cause of death for kids ages 15-19 and guns are the most common method used.
- A gun in the home increases suicide risk by 17 times.



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Children, Guns and Suicide

- More than 75% of the guns used in youth suicide attempts were stored in the home of the victim, a relative, or a friend.
- Firearms have an 85% fatality rate. Other means have a 5% fatality rate.
- 82% of youth gun suicides used a gun belonging to a family member.
- In 2013, sixteen NY children and teens committed suicide with a gun.

http://nyagv.org/resources



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Children and Unintentional Shootings

- A gun in the home is 22 times more likely to be used to kill someone who the family knows than to kill someone in self-defense
- More than half of unintentional gun deaths occurred while children played with a loaded gun
- 87% of gun deaths of children under 10 take place in a home.

http://nyagv.org/resources



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Children and Unintentional Shootings

- Each week, at least 4 American children 11 and under are killed unintentionally by guns in the home.
- Between May 3 and June 29, 37 children were killed including 1 in NY. (Source: Gun Violence Archive)

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How do Children Gain Access to Guns?

- Nearly 2 million children live in homes where they have easy access to unlocked or loaded guns.
- Unintentional gun deaths of children are seriously under-reported (NY Times)



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3-yr-old TX boy shoots self in face with grandfather's gun (7/5/14)

"The importance of gun safety and child locks always becomes magnified with tragedies such as these," said Harris County Deputy Thomas Gilliland. "We stress the proper storing and locking of weapons away from children and others."

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How do Children Gain Access to Guns?

- In NY State, 38% of gun owners have reported unsafe storage practices. (From Gun Owners and Safe Storage in New York State, NY State Department of Health, 1998)
- It is estimated that 52,430 NY children live with an unlocked and loaded gun.



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How do Children Gain Access to Guns?

- Of 37 school shootings in 26 states, the shooter got the gun from home or that of a friend or relative more than 68% of the time. (Pic: US Secret Service, U.S. Department of the Treasury, An In-House Report on the Prevalence of Targeted Violence in Schools 9 Oct. 2009)



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Safe Storage Laws Protect Children

- Studies show that safe storage laws save lives by reducing unintentional shootings by 23% and suicides by 8%. (Ferguson, L. et al. The Effects of Child Access Prevention Laws on Unintentional Child-Firearm Injuries, 1979-2009. Trauma 2002, 11:434. See also The Case for Our Policy Reform Agenda, Johns Hopkins Center for Gun Policy and Research, 2010, p. 8.)



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Firearm Safe Storage under NY SAFE

Requires Safe Storage of firearms ONLY in households where:

- Individuals live who have been convicted of a crime, involuntarily committed, or subject to an order of protection
- There is no requirement to store guns safely in homes with children
- Existing law requires all guns sold at retail be sold with a gun lock.



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Unlocked Guns are More Likely to be Stolen

- An estimated half a million guns are stolen annually in the US from residences, businesses and vehicles, playing a significant role in gun trafficking.
- Stolen guns flow into the illegal gun market where they end up killing and maiming our citizens, particularly our youth.



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Why are stolen guns an issue?

- Stolen Guns are significantly underreported
ATF data indicates that more than 173,000 guns were reported lost or stolen by persons other than federally licensed dealers in 2012.² Survey research indicates that at least 500,000 firearms are stolen annually from residences.³ This discrepancy shows that most lost or stolen firearms are not reported.
- Many stolen guns are used to commit subsequent crimes. A U.S. Department of the Treasury study revealed that nearly a quarter of ATF gun trafficking investigations involved stolen firearms and were associated with over 11,000 trafficked firearms. Ten percent of the investigations involved guns stolen from residences.⁴

New York State requires that lost or stolen firearms be reported to law enforcement.

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Why Safe Storage for Poughkeepsie?

- Reducing stolen guns through safe storage is the best way of supporting our community and law enforcement.
- Many crime guns are stolen -- obtained primarily through car or home burglaries.
- Gun theft - a nationwide problem, with multitudes of news reports describing gun caches stolen from homes or vehicles and shootings where a stolen weapon was used.
- There have even been cases of thieves brazenly breaking into marked police cars and FBI agents' vehicles to steal weapons.

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Firearm Safe Storage: A complement to Reporting Laws

- Safe Storage stops gun theft.
- A tool for law enforcement: crime guns traces often show that original purchaser falsely claimed the gun was lost or stolen to hide trafficking involvement.
- Reporting laws alert law enforcement about individuals who repeatedly: (1) fail to file reports yet claim that their guns were lost or stolen after they are recovered from a crime scene; or (2) report their guns lost or stolen, indicating that the person may be trafficking firearms.
- Encourages responsible Firearm Storage without impacting the individual's ability to protect him or herself.

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Gun Violence in Poughkeepsie

- 13 shooting incidents involving injury in 2014
- 14 shooting victims in 2014; 6 people shot just in the last six days.
- Between 2010-14, 15 have been killed by gun violence, and there have been 99 shooting victims. (Gun Involved Violence Elimination Initiative: <http://www.criminaljustice.ny.gov/crimnet/ojsa/greenbook.pdf>)

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Firearm Safe Storage

The ordinance below exists today in Buffalo and Rochester. There are similar ordinances in place in New York City and Westchester County.

No person shall store a firearm, rifle, shotgun or air gun in a dwelling in the City unless said firearm, rifle, shotgun or air gun is completely enclosed or contained in a non-accessible locked carrying case or in a locked gun rack, cabinet, closet or safe, or a locking device is attached to the weapon and locked in a manner so as to prevent the weapon from being fired. This requirement shall not apply to a rifle, shotgun or licensed firearm carried on the body of the owner or within such close proximity of the owner that the owner can retrieve it as quickly and easily as if it were carried on the owner's body.

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Firearm Safe Storage: Is There Public Support for Gun Regulations?

Clear Voter Acceptance of Gun Regulations

- A majority of voters (61%) believe the problem of gun violence and gun crime is serious.
- Almost two out of three voters (64%) believe that the easy availability of guns in the U.S. is why our country has high gun death rates.
- Three-out-of-four voters (75%) and 67% of gun owners believe the public has a right to set reasonable regulations on gun ownership and gun use.
- Close to 2/3 of voters (64%) believe strengthening the state's gun laws will improve public safety.

Strong Support for New Gun Safety Proposals including safe storage

- An overwhelming majority of voters (81%) and 77% of gun owners support a law requiring gun owners to safely store their guns to prevent children from accessing them.
- More than half of the voters (53%) say they'd be more inclined to re-elect their state legislator if that person voted in favor of stronger gun laws. (Source: Kiley and Co, <http://nyagr.org/wp-content/uploads/2015/04/Voter-April-2015-poll-memo.pdf>)

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Firearm Safe Storage: Constitutionality?

- The Massachusetts Supreme Court upheld a similar law earlier in 2013 in *Commonwealth v. JA-Gowan*, 932 N.E.2d 495 (Mass. 2013). There, the court found that "unlike the provisions declared unconstitutional in *Heller*, [the law at issue] is consistent with the right of self-defense in the home because it does not interfere with the ability of a licensed gun owner to carry or keep a loaded firearm under his immediate control for self-defense."
- A California district court also upheld a safe storage requirement *Jackson v. San Francisco*, 2012 U.S. Dist. LEXIS 116732 (Aug. 17, 2012) against a Second Amendment challenge. The ordinance at issue in that case was arguably even more broad than the one in this bill because it applied whenever the firearm was not "carried on the person" whereas this bill does not apply any time the firearm is under the owner's "control."
- The Supreme Court refused on June 8 to review the case of *Jackson v. City and County of San Francisco*.
- Buffalo, Rochester, NYC and Westchester County have had Safe Storage Ordinances on the books for decades with no constitutionality challenges.

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Guns and Self-Defense

- Research by the Violence Policy Center (VPC) shows that self-defense gun use by private citizens is extremely rare.
- Private citizens are far more likely to use guns to kill others or themselves than to use guns in justifiable homicides.

Data sources: FBI Uniform Crime Reporting Program's supplementary homicide report and the Bureau of Justice Statistics National Crime Victimization Survey (NCVS): www.vpc.org/studies/justifiable15.pdf

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Does Safe Storage impede Self-Defense?

"It has always been the Rifle and Pistol Association's policy and the NRA's policy to urge all of our members and all of the gun owners to provide a method of safe storage and there are many, many methods out there, biometric safes, combination safes, that can be accessed so that you can store your firearm and have it accessible almost immediately."

*Tom King, President, NYSRPA, April 16, 2015
(<https://www.youtube.com/watch?v=sl63XGLKqA/>; at segment 16:34 – 16:59)*

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Nicholas's Law

•Named for 12-year-old Nicholas Naumkin, who was shot and killed at a friend's house in December 2010.

•Requires the safe storage of all guns not in the immediate possession or control of the gun owner, either in a safe storage depository or with a locking device.

•Gun owners who fail to comply will be subject to criminal liability.



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Nicholas's Law (A.53/S. 2291)

- Passed the NY State Assembly on June 16, 81 to 66.
- On the evening of the Assembly vote, the Saratoga Springs City Council unanimously passed a resolution supporting Nicholas's Law and promised to pass a local ordinance if the Senate didn't act.
- S.2291 was not brought to the Senate floor for a vote.

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Firearm Safe Storage: If you pass this ordinance, how can NYAGV help?

- Educating the public about the ordinance
- Providing information re: where to get a gun lock.
- What else can we do to help?

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Strong Gun Laws Matter

> States with higher gun ownership and weak gun laws have the highest rates of gun death.

Rank	State	Gun Ownership	Gun Death Rate per 100k
1	AK	60.6%	19.59
2	LA	45.6%	19.15
3	AL	57.2%	17.79
4	MS	54.3%	17.55
5	WY	62.8%	17.51

2013 Center for Disease Control, WISQARS
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Strong Gun Laws Save Lives

> States with strong gun laws and low gun ownership have far lower gun death rates.

	State	Gun Ownership	Gun Death Rate per 100k
1	VT	9.7%	2.71
2	MA	12.8%	3.18
3	NY	18.1%	4.39
4	CT	16.2%	4.48
5	RI	13.3%	5.33

2013 Center for Disease Control, WISQARS
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Firearm Safe Storage: Any questions?

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Gun Violence Stats

- Firearm homicide is the second leading cause of death (after motor vehicle crashes) for young people ages 1-19 in the US.¹ And the number one cause among African American children and teens.
- An average of eight children and teens under the age of 20 are killed by guns every day.²
- American children die by guns 11 times as often as children in other high-income countries.³
- Youth (ages 0 to 19) in the most rural U.S. counties are as likely to die from a gunshot as those living in the most urban counties. Rural children die of more gun suicides and unintentional shooting deaths. Urban children die more often of gun homicides.⁴
- One-third of all households with children younger than 18 have a gun and more than 40 percent of gun-owning households with children store their guns unlocked. Twenty-two percent of children with gun-owning parents handled guns in their homes without their parents' knowledge. More than half of youth who committed suicide with a gun obtained the gun from their home, usually a parent's gun.⁵

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Gun Violence Stats Cont'd

- The cost of a hospital stay for a firearm assault injury was nearly \$14,000 more than the average inpatient stay in 2010.³³
- 52% of medical costs related to gunshot wounds are paid for by the employers (primarily through Medicaid) while 28 % of the costs fall on the uninsured.³⁴
- The annual cost of gun violence in America exceeds \$229 bn. Direct costs account for \$8.6 bn— including long-term prison costs for people who commit assault and homicide using guns. Indirect costs amount to at least \$221 billion, \$109 bn of which comes from what researchers consider to be the impact on victims' quality of life.

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Sources:

³³Shay, David, "Skinned The Money Man for Gun Control," *Yale University Press*, 2008, p. 2

³⁴The Brady Campaign averaged the most recent three years of data from each jurisdiction (2008-2010) and estimates of emergency room admissions (2009-2012) available at: CDC's National Center for Injury Prevention and Control's Web-based Injury Statistics Query and Reporting System, <http://www.cdc.gov/nchs/data/stein/cdrisqr.html>. Data retrieved 10/14/15.

³⁵The Brady Campaign averaged the most recent three years of data from each jurisdiction (2008-2010) and estimates of emergency room admissions (2009-2012) available at: CDC's National Center for Injury Prevention and Control's Web-based Injury Statistics Query and Reporting System, <http://www.cdc.gov/nchs/data/stein/cdrisqr.html>. Data retrieved 10/14/15.

³⁶Richardson, E.S. and David Hernandez, "Homicide, Suicide, and Unintentional Firearm Injury Amongst the United States' High-Income Counties, 2003," *Journal of Trauma, Injury, Infection, and Critical Care*, published online ahead of print, June 2014.

³⁷The Brady Campaign averaged the most recent three years of data from each jurisdiction (2008-2010) and estimates of emergency room admissions (2009-2012) available at: CDC's National Center for Injury Prevention and Control's Web-based Injury Statistics Query and Reporting System, <http://www.cdc.gov/nchs/data/stein/cdrisqr.html>. Data retrieved 10/14/15.

³⁸Richardson, E.S. and David Hernandez, "Homicide, Suicide, and Unintentional Firearm Injury Amongst the United States' High-Income Counties, 2003," *Journal of Trauma, Injury, Infection, and Critical Care*, published online ahead of print, June 2014, p. 1.

³⁹Harvey, Michael L., et al, "Hospital Inpatient and Ambulatory Care Visits by State by Injury and Urban U.S. Counties," *Prevention* 135(2) June 2013: 1170-1178.

⁴⁰National Center for Injury Prevention and Control, Web-based Injury Statistics Query and Reporting System (2002-2010) and 2008-2010, <http://www.cdc.gov/nchs/data/stein/cdrisqr.html>. Calculations by Brady Center in Present Gun Violence, 2013.

⁴¹<http://www.bradycenter.org/stein/cdrisqr/cdrisqr.asp?table=gunviolence&table=gunviolence>, Accessed June, 2015.

⁴²Children's Defense Fund, *Press Release*, Feb. 2014, July 2013.

⁴³Wagner, David, Lauren M. Wang, and Charles Brannan, 2013, "Costs for Hospital Stay in the United States, 2010," *Statistical Brief for the Agency for Healthcare Research and Quality*.

⁴⁴Rowland, Larry M. and Steve Kirschner, "The Hospital Costs of Firearm Injuries," *Urban Institute*, September 2013, p. 3.

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3. **FROM CHANTEL SMART**, a notice of Claim. **Referred to Corporation Counsel**
4. **FROM FRANK W. WHITE, JR.**, a notice of Claim sustained on August 23, 2014. **Referred to Corporation Counsel**
5. **FROM IRA A. GETTER**, a notice of property damage sustained on June 10, 2015. **Referred to Corporation Counsel**
6. **FROM LATORIA MCKINNEY**, a notice of property damage sustained on June 23, 2015. **Referred to Corporation Counsel**

X. UNFINISHED BUSINESS:

Councilmember Mallory – asked about the status of the lighting, specifically by the post office.

Councilmember Rich – wanted to know where they are in the project to spruce up all of the city’s parks, where the money is coming from, and where it may be coming from.

Councilmember Klein – followed up on Councilmember Mallory’s inquiry, asked about the status of the 9/11 memorial park, asked about the status of the towing ordinance,

Councilmember Johnson – mentioned a constituent who feels as though the business next to them is violating the noise ordinance and wanted to know what the next step is. Asked Commissioner of Public Works Gent about the status of the park improvements Made a comment about how the agenda should be held in a traditional manner and that constituents and residents should not be ‘held hostage’.

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(Councilmember Petsas addresses that comment, saying that there have been ‘extraordinary circumstances’ which is why they have police officers in the room, there had been threatening emails and phone calls and other incidents involving city employees and staff, apologizes to the audience and says that they were just concerned for the safety of the residents and staff)

Councilmember Perry – also asked about the parks, and if they’re going to have just one contractor, mentioned the potholes and the condition of the roads and sidewalks.

Councilmember McClinton – asked about park equipment, mentioned the “shooting situation”, and thanked the audience for their patience and understanding. Stated that people should “stop talking about it, be about it”.

XI. NEW BUSINESS:

Councilmember Rich – inquired about the status of the towing ordinance.

Councilmember Klein – asked for a status report regarding the pools.

Councilmember Perry – invited the community to College Hill for summer fun, also announced a block party on Winnikee Ave and Cottage St, (after McClinton) asks about the food program for feeding the children.

Councilmember McClinton – thanked people for coming out in solidarity with Charleston, asked about the foreclosure bond(?), mentioned the music festival. She said that the pools are not all up and “operationable”, claimed that the city isn’t being transparent.

XII. ADJOURNMENT:

A motion was made by Chairman Petsas and Vice Chair Rich to adjourn the meeting at 9:35 p.m.

Dated: September 28, 2015

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, July 6, 2015 at 6:30 p.m.

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**



COMMON COUNCIL MEETING

Common Council Chambers

Monday, July 6, 2015

6:30 p.m.

*5:30 p.m. Public Hearing regarding proposed designation of
57 Montgomery Street as an historic landmark*

*6:00 p.m. Public Hearing regarding the proposed
abandonment of High Road Extension*

I. ROLL CALL:

III. REVIEW OF MINUTES:

IV. READING OF ITEMS by the City Chamberlain of any resolutions not listed on the printed agenda.

V. PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.

VI. MAYOR'S COMMENTS:

VII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VIII. MOTIONS AND RESOLUTIONS:

- 1. FROM CITY ADMINISTRATOR BUNYI, Resolution R15-52, approving the allocation of \$25,000.00 in support the EFC for a drinking water grant.**

2. **FROM CHAIRMAN PETSAS**, Resolution R15-53, the Council's opposition to the Administration's plan to reduce the number of days the transfer station is open to the public.

IX. ORDINANCES AND LOCAL LAWS:

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

7. **FROM PASTOR WHITTED**, a presentation regarding the future of the YMCA.
8. **A PRESENTATION FROM NEW YORKERS AGAINST GUN VIOLENCE.**
9. **FROM CHANTEL SMART**, a notice of Claim.
10. **FROM FRANK W. WHITE, JR.**, a notice of Claim sustained on August 23, 2014.
11. **FROM IRA A. GETTER**, a notice of property damage sustained on June 10, 2015.
12. **FROM LATORIA MCKINNEY**, a notice of property damage sustained on June 23, 2015.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: