

**Town of Newtown Legislative Council Regular Meeting
Wednesday, August 7, 2013
Newtown High School Lecture Hall, Sandy Hook, CT**

PRESENT: Jeff Capeci, Mary Ann Jacob, George Ferguson, Joe Girgasky, Paul Lundquist, Bob Merola, Daniel Honan, Neil Chaudhary, Dan Amaral, Dan Wiedemann, Phil Carroll, Ryan Knapp

ALSO PRESENT: First Selectman Pat Llodra, Town Attorney David Grogins, Land Use Director George Benson, Police Chief Michael Kehoe, State Representative Mitch Bolinsky, approximately 50 members of public, Jan Andras (Clerk)

Ordinance Committee Chairman Mary Ann Jacob called the public hearing to order at 7:00 pm with the Pledge of Allegiance and opened the floor to public comment on either the proposed amended Firearms Ordinance or the newly proposed Blight Ordinance.

Aaron Cox, Pond Brook Road – thanked the Ordinance Committee for handling the Firearms Ordinance with respect and fairness to all citizens. His comments are already on public record. He asked the Council to approve the ordinance as written.

Richard Giannettino, 18 Chestnut Hill Road – He is an NRA certified instructor and owns a commercial shooting range in New Milford where there has never been an accident. He also believes this 12 month process has been handled fairly and pointed out that we have never had a firearms accident in Newtown. He feels these proposed restrictions are useless and unnecessary and urged the Council to leave the Ordinance as adopted on 9/17/03. (comments attached)

Laurie Ogan, 140 Castle Hill Road – (Blight Ordinance) – her property abuts 31 Great Hill Road where a fire destroyed 80% of the home on 6/24/11. The insurance company is failing to settle and the condition of the property is devaluating surrounding properties.

Robert Hutchinson, 8 Split Rock Road – presented alternative language to the ordinance committee on 7/10/13. Another suggestion is for language regarding shooting uphill vs a flat range. He gave written copies to Council members.

Paul Adonyea, 40 Old Bethel Road – feels that it is difficult for an entire family to complete target practice in the four hour time restriction.

Brid Craddock, 59 Main Street – is in favor of the Blight Ordinance to protect property values.

J. C. Bradley, 63 Head o'Meadow Road – does not believe he should be responsible to check licenses for others shooting on his property.

Lawrence Thompson, 60 Osborne Hill Road – feels that the Firearms Ordinance should be more specific and what and why we are regulating and what do we want to protect. Need to expand on the purpose of the ordinance. In Weston, the ordinance bans all assault weapons. He also suggests an ombudsman for complaints.

Vincent Vinatelli, 7 Alder Lane – (Firearms Ordinance) - you have to give some consideration to people who bought their property understanding a certain set of “dos and donts” – then later, someone comes along and wants the rules changed. Consideration must be given to property rights.

Eric Poupon, 23 Split Rock Road – (Firearms Ordinance) – the ordinance committee listed to everything and everyone and the end product is a result of that.

Norm Nagy, 38 Cold Spring Road – owns the construction company across the street from Middle Gate School. The Monroe Road and Gun Club and the Hattertown Gun Club merged and operates there. He asked that they be named in the ordinance. He believes that the restrictions in the ordinance are not necessary.

Don Lococo, 27 Hi Barlow Road – (Firearms Ordinance) - it is time that this ordinance was updated.

Bill Monaco, Beckett Village, Sandy Hook – (Firearms Ordinance) - feels this is really a Noise Ordinance – not for safety.

Paul Berger, 13 Monitor Hill Road – (Firearms Ordinance) – the language is a good compromise. Were the hours of extracurricular activities at the schools considered for limitations on shooting hours?

Andy Buzzi, 38 Obtuse Road – recreational shooting safety issues are lower than any other activities – baseball, soccer, etc. Law-abiding citizens who participate in the sport are extraordinarily responsible. They are taught to use a firearm. This is a “solution without a problem” and an unnecessary infringement on the rights of residents.

Luciana Dellavera, 21 Split Rock Road – is the owner of the property where the roofer was shot in the hand which has aggravated the fears of her 9 year old child.

Dan Kormanik, 178 Hanover Road – higher taxes cause more blight, when people cannot afford the constant increases.

Bill Stephens, Huntingtown Road – neither the Blight or Firearms Ordinances pertain to him personally but he is interested in preserving the rights of Newtowners. He believes that Ms. Jacob and Mr. Chaudhary should recuse themselves for voting after they have expressed personal opinions regarding firearms. He believes that the Fairfield Hills property is in a blight condition.

Lucy Sullivan, 61 Main Street – is in favor of the Blight Ordinance.

Robert Hutchinson, 8 Split Rock Road – the 60 acre gravel pits across from Middle Gate School are ideal backstops. In May 2012, the police responded to a complaint of sustained gunfire at that site but were unable to do anything to stop it.

Gary Liljengren, 15 Split Rock Road – (Firearms) – the ordinance weakens the right to bear arms and is therefore unconstitutional.

John Fritz, Stratford, NRA trainer – (Firearms) - attitude is the most important safety control and you cannot legislate attitude. Teach safety, don't try to legislate it.

John Rondano, 15 Hi Barlow Road – opposed to the limited number of shooters allowed on his property. Also believes that the ½ mile from schools is not necessary.

Elmer Cox, 31 Pond Brook – has hunted and target shot here his entire life. This ordinance is not perfect but you can never satisfy everyone. This will satisfy many.

Hearing no further comment, the hearing was closed at 8:28 p.m.



Jan Andras
Recording Secretary

att.

August 7, 2013

Testimony Before the Newtown Legislative Council relative to Firearms Ordinance 128 pertaining to proposed amendments to Ordinance 71, amended September 17, 2003

By: Richard M. Giannettino
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Sandy Hook, CT 06482

NRA Certified Range Safety Officer
NRA Certified Pistol Instructor
NRA Certified Small Bore Rifle Coach
Owner, Shooters Pistol Range, New Milford, CT.
Former Member, Board of Directors, Federation of New York State Rifle & Pistol Clubs

Ladies & Gentlemen of the Council:

When this process began one year ago someone said at the first meeting of the Ordinance Committee that "this was a solution in search of a problem." He could not have been more correct.

This started out as a complaint over unsafe firing on the Myers farm and quickly degenerated into complaints about noise and excessively long shooting sessions and ultimately was linked to the Sandy Hook School shootings.

There is nothing about recreational target shooting that is remotely linked to that terrible day last December but, typical of anti-gunners throughout history the proponents of these amendments have adopted the Rahm Emmanuel philosophy of never letting a crisis go to waste.

In the research that I and others have done we could find no evidence that there has ever been a firearm related accident in the history of the town.

I am sure that you have heard, or will hear, the story of a roofer recently hit in the hand by a bullet resulting from someone target shooting. That's just what it is, a story. Consider this: on the day of the alleged incident the police were called and investigated. The alleged victim was nowhere to be found. No bullet or bullet fragments were found. The police took a report from the home owners and that was all there was. No report that a doctor had treated or even looked at the supposed injury, No hospital report. It was not until 18 days later that the alleged victim came forward to file a report with the police. For all we know an acorn could have fallen from a tree and hit this alleged victim in the hand, if anything did occur at all.

With regard to the specific proposed amendments:

Sect. 128-4 (d) states that "No more than one firearm may be fired at a time by any group of individuals." This is ridiculous. If I want to have friends over and we want to shoot competitively in a timed match this provision would make it impossible. Competitive target shooting goes on all the time, safely at my commercial range where we have as many as 12 people shooting at the same time and as many as 7 people firing at the same time at the Friday night pistol league here in town.

In the 4 years I have owned the commercial range and in the 15 plus years that we have been shooting in the Friday Night pistol league there has not been one single accident.

Sect. 128-5 (b) limits shooting on any given property to 4 hours a day after notifying NPD that shooting will take place. This was advanced to address the issue of prolonged shooting sessions to satisfy what are essentially noise complaints. Consider this: if I shoot from 10 A.M. to 2 P.M. and a neighbor starts from 12 noon to 4 P.M. and another neighbor shoots from 3 P.M. to 7 P.M. what has this provision accomplished? Nothing.

Sect. 128-5 (c) requires a backstop "with a minimum height of 10 feet above the top of the intended target." Most targets are set at eye level. In my case, eye level is about 5' 2". That would require me to build a backstop at least 15 feet high. How high would someone have to build a backstop if they were 6 feet tall or 6 ½ feet tall? Aside from the cost factor, which in many cases would be prohibitive, we would then have neighbors complaining that the backstop is an eyesore and would decrease their property values.

Sect. 128-5 (d) prohibits the "discharge of firearms within 500 feet of any building occupied by people or domestic animals..." Well, if sect. 128-5 (c) requiring a backstop is adopted, in any form, isn't it logical to assume that the intention is to have all projectiles fired into that backstop? If that is the case then what difference does it make if there are buildings within 500 feet behind or to the left or right of the shooter?

The 500 foot rule is taken from the hunting regulations which have nothing to do with target shooting. They were incorporated into the hunting regulations to prevent hunters from shooting at a game bird or animal who may be between the hunter and an occupied building. This provision has no bearing on target shooting.

A year ago, when these proceedings began, I made a statement to the Ordinance Committee, wherein I said that the proponents of these changes are starting out with what they describe as "reasonable" changes but, before they are through, they will be seeking a total ban on target shooting in the Town of Newtown. If we have not heard that already tonight we soon will just as it was promulgated at the last hearing of the Ordinance Committee.

A solution in search of a problem! We have gone from a town with no accidents and few restrictions to a town with no accidents with a bunch of useless, senseless and unnecessary proposed restrictions.

I respectfully urge the Council, in the strongest possible terms, to reject these amendments and keep in place Ordinance 71 as amended September 17, 2003.