

**Danby Town Board
Minutes of Regular Meeting
January 9, 2012**

Present:

Supervisor: Ric Dietrich
Councilpersons: Leslie Connors, Kathy Halton, Dan Klein, Dylan Race

Others Present:

Town Clerk Pamela Goddard
Code Office Sue Beeners
Bookkeeper Laura Shawley
Planning Board Robert Roe
Public Frank Kruppa, Ronda Roaring, Ted Crane

The Meeting of the Danby Town Board was opened at 7:00pm.

Swearing In Newly Elected Officials

The Town Supervisor, Town Clerk, and Town Council persons were sworn in.

Privilege of the Floor

Ted Crane presented two issues/requests. He requested that comments regarding "Corporate Personhood" be entered into the record, as an appendix to these minutes. [Appendix A]

Crane also made a request for a procedure to be drafted, in prior to the TB February meetings, to respond to a new State mandate regarding public access to materials to be considered at meetings of public bodies.

Dan Klein and Dylan Race informed the Board about absences during February. Dan Klein will miss the February meetings, as he will be out of the country. Dylan Race will need to arrive late (8 or 8:10pm) to the February meetings, due to a course he will be teaching.

Clerk Goddard made an apology for two errors on her part which led to procedural problems in recent meetings. In the future, a Town Board member will not be asked to "fill in" as secretary in the event that the Clerk cannot attend a meeting. The Deputy Clerk or another person will be asked to serve this role, so that there will be no conflict of duties.

Goddard also informed the Board that it had been incorrectly informed regarding the advisability of a Board (Town or Planning) conducting a "poll" of its members by phone or Email. This had been done to "poll" members of the Planning Board regarding a recommendation to the TB regarding filling a vacancy. Robert Freeman of the NYS Committee on Open Governments has expressed the opinion that this practice is contrary to the intention of the Open Meetings Law. Several members of the Town Board disagreed with the Town Clerk's assessment of whether the Open Meetings law applied to this situation. They were of the view that this is a "gray area" in the law. The Town Board was the board that voted on this appointment, and some members would have voted as they did regardless of what the telephone poll stated.

Goddard took responsibility for not previously informing the Boards of this problem and said that she would take steps to provide all Boards with this information:

Open Meetings Law: "It is essential to the maintenance of democratic society that the public business be performed in an open and public manner and that the citizens of this state be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and decisions that go into the making of public policy."

Quote from Robert Freeman of the Committee on Open Government in a 1998 decision on this issue: "There is nothing in the Open Meetings Law that would preclude members of a public body from conferring individually, by telephone or via (e)mail. However, a series of communications between individual members or telephone calls among members which results in a collective decision, a meeting held by means of a telephone conference, or a vote taken by mail would in my opinion be inconsistent with law. From my perspective, voting and action by a public body may only be carried out at a meeting during which a quorum has physically convened".

Organizational Resolutions: January 9, 2012

SUPERVISOR'S STATEMENT TO THE BOARD:

- Robert's Rules of Order will be followed at all Town Board Meetings, except when special roll call vote is necessary. Roll call will be alphabetical with the Supervisor voting last.
- All meetings will begin and end at times to be specified during January's Regular Meeting.
- Method of claims for payment of all bills will be by voucher. Vouchers and items for the agenda must be submitted to the Supervisor or the Town Clerk.
- The Town Board will audit all bills. Research will determine which section of Town Law requires this supervision.
- All personnel matters will be discussed in executive session.

The following resolutions, Numbers 1-19, were voted on as a group.

RESOLUTION NO. 1 OF 2012 - APPROVAL TO INVEST IDLE FUNDS

Resolved, that the Town Board of the Town of Danby authorize the Supervisor to invest idle funds.

RESOLUTION NO. 2A AND 2B OF 2012 - APPROVAL OF YEAR 2012 SALARIES

Town Board, council persons, total	9,670.00	(2,417.50x4)
Town Supervisor	20,450	
Deputy Town Supervisor	53	
Assistant to Supervisor	10,000	
Bookkeeper.....	20,335	
Town Justice	26,425	(13,212.50x2)
Court Clerk	13,829	
Highway Superintendent.....	52,836	
Highway Secretary	25,796	
Zoning/Code/Fire Enforcement Officer	46,469	
Town Clerk	28,473	
Water Plant Operator (West Danby)	8,395	
Water Plant Operator Assistant (West Danby).....	3,281.22	
2nd Water Plant Operator Assistant.....	3,124.78	
Water Clerk (West Danby)	4,127	
Swimming Area Director	1,000	
Total	255,964.00	

Resolved, That the Town Board of the Town of Danby authorizes the Supervisor to pay the above salaries. The salaries shall be paid prior to the first Town Board meeting of each month, and December payrolls will be adjusted to meet all budget requirements.

RESOLUTION NO. 3 OF 2012 - PAYMENT OF BILLS

Resolved, That the Town Board of the Town of Danby approves a blanket resolution to authorize the Town Supervisor to pay utility bills, freight, postage, contracts, and to conduct other normal proceedings, such as payroll, in advance of audit in order to keep affairs moving on a timely basis, and be it further

Resolved, That a contract is not a bid award.

RESOLUTION NO. 4 OF 2012 - 2011 FINANCIAL REPORT

Resolved, that the Town of Danby Town Supervisor, in lieu of preparing a financial report under NYS Town Law Article 3, §29.10, shall submit to the Town Clerk by March 1, 2012 a copy of the report submitted to the State Comptroller required by Section 30 of Municipal Law.

RESOLUTION NO. 5 OF 2012 - TOWN OF DANBY OFFICIAL NEWSPAPER AND BANK DEPOSITORY

Resolved, That the Town Board of the Town of Danby names the Ithaca Journal as its Official Newspaper and HSBC as bank for the depository of Town Funds.

RESOLUTION NO. 6 OF 2012 - TOWN OF DANBY ATTORNEYS

Resolved, That the Town Board of the Town of Danby names the firms of Miller Mayer, LLP and Thaler and Thaler as law firms to represent the Town of Danby in all Zoning, Planning Board, and General Town of Danby business. The Town Board reserves the right to seek other legal aid if it deems necessary.

RESOLUTION NO. 7 OF 2012 - MILEAGE REIMBURSEMENT FOR TOWN MILEAGE

Resolved, That the Town Board of the Town of Danby authorizes reimbursements for private automobile mileage incurred on Town Business to be paid at the rate of fifty cents (\$0.55) per mile.

RESOLUTION NO. 8 OF 2012 - ACKNOWLEDGMENT OF DEPUTY TOWN CLERK

Resolved, That the Town Board of the Town of Danby acknowledges the Town Clerk's appointment of Susan McLellan as her Deputy Town Clerk.

RESOLUTION NO. 9 OF 2012 - REAFFIRMATION OF TOWN OF DANBY PROCUREMENT POLICIES AND PROCEDURES (AS APPROVED IN RESOLUTION NO. 24 OF 1993)

Resolved, That the Town Board of the Town of Danby reaffirms the Town of Danby Procurement Policies and Procedures as established in Resolution No. 24 of 1993.

RESOLUTION NO. 10 OF 2012 - REAFFIRMATION OF TOWN OF DANBY APPOINTMENT PROCEDURES (AS APPROVED IN RESOLUTION NO. 56 OF 2011)

Resolved, That the Town Board of the Town of Danby reaffirms the Town of Danby Appointment Procedures as established in Resolution No. 56 of 2011.

RESOLUTION NO. 11 OF 2012 - AUTHORIZATION FOR PURCHASE OF TOOLS, EQUIPMENT, ETC.

Resolved, That the Town Board of the Town of Danby authorizes the of Danby Highway Superintendent to purchase tools, equipment (other than motorized equipment), small implements, tires and tubes, etc. in the amount not to exceed \$2,500 at any given time without prior approval of the Town Board.

RESOLUTION NO. 12 OF 2012 - HIGHWAY IMPROVEMENTS REIMBURSEMENT

Resolved, That the Town Board of the Town of Danby be authorized to sign an agreement that monies collected for repairs and improvements of Town Highways in the amount of \$111,200 (State Aid DA3501) be expended upon 71.98 miles of Town of Danby highways.

RESOLUTION NO. 13 OF 2012 - TOWN BOARD MEETINGS

Resolved, That the Town Board of the Town of Danby regular monthly board meetings be scheduled at 7:00pm on the second and third Monday of each month for the year 2012.

RESOLUTION NO. 14 OF 2012 - APPOINTMENT OF DEPUTY SUPERVISOR

Resolved, That the Town Board of the Town of Danby appoints Daniel Klein as Danby Deputy Supervisor.

RESOLUTION NO. 15 OF 2012 - APPOINTMENT OF TOWN WEBMASTER

Resolved, That the Town Board of the Town of Danby reappoints Ted Crane as the Danby Webmaster.

RESOLUTION NO. 16 OF 2012 - ACKNOWLEDGMENT OF COURT CLERK APPOINTMENT

Resolved, That the Town Board of the Town of Danby acknowledges the Town Justice's reappointment of James Herson as Danby Court Clerk.

RESOLUTION NO. 17 OF 2012 - HEALTH INSURANCE FOR TOWN CLERK AND SUPERVISOR

Resolved That the Town Board of the Town of Danby authorizes its bookkeeper, Laura Shawley, to reimburse the Town Clerk and Town Supervisor for health insurance coverage, in amounts not to exceed \$1,333 per month for the Town Clerk and \$600 per month for the Town Supervisor.

RESOLUTION NO. 18 OF 2012 - DOG LICENSE FEES

Resolved, That the Town Board of the Town of Danby authorizes the Town Clerk to collect license fees for dogs in the amount of \$12 for altered (spay/neutered) dogs and \$20 for unaltered dogs.

RESOLUTION NO. 19 OF 2012 - AGREEMENT TO SPEND TOWN HIGHWAY FUNDS - 2012

Pursuant to the provisions of Section 284 of the Highway Law, the Town Board of the Town of Danby agrees that money levied and collected for the repair and improvement of highways, and received from the state for repair and improvement of highways, shall be expended as follows:

General Repairs. The sum of \$327,583 may be expended for general repairs upon 73.39 miles of town highways, including roads, culverts, and bridges.

Improvements. The following sum shall be set aside or be expended for the improvements of town highways: \$111,200 in CHIPS money to be spent on projects to be determined by the Highway Superintendent at a later date.

No money set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements, until the Town of Danby approves the specifications and estimates for such construction.

Moved by Klein, Second by Connors. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

Warrants

GENERAL FUND

#001-019 for a total \$56,648.28

Moved by Klein, Second by Halton. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

HIGHWAY FUND

#001-004 for a total \$69,318.41

Moved by Halton, Second by Klein. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

WATER DISTRICT

#001-003 for a total \$4,568.16

Moved by Halton, Second by Connors. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

Solar, Wind, Geothermal Installation Fees

Code Officer Beeners presented a draft resolution regarding proposed fees for inspection of solar, wind, and geothermal installations. The proposed resolution reduces the fee from \$4 to \$2 per estimated \$1,000 of project cost and raises the minimum fee from \$35 to \$50. The intent of the reduction is to add an incentive for these installations. The raised minimum fee is needed to cover actual costs of staff time. The minimum fee has not been raised since 1992. This fee is consistent with what other towns charge. Beeners reported that eight solar systems were installed in the last calendar year.

There was a discussion of the suggested fee schedule, which reduces at one level yet increases at another. Small solar (hot water) installations will, in effect, be charged more than \$4 per thousand and so the incentive is lost. Beeners supports anything that will be an incentive, but asserts that \$50 is what it costs the Town to minimally process an application and installation. She suggested that other incentives be explored.

The Board decided to hold this resolution until its next meeting, for more consideration.

Appoint Representative to the Tompkins County Recreation Partnership

The Board held a short, general discussion about the future of youth services.

RESOLUTION NO. 20 OF 2012 - APPOINTMENT OF RECREATION PARTNERSHIP REPRESENTATIVE

Resolved, That the Town Board of the Town of Danby reappoints Dylan Race as the Town of Danby representative to the Recreation Partnership. Term of office begins January 1, 2012 and expires December 31, 2013.

Moved by Dietrich, Second by Connors. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

Appoint West Danby Water District Water Commissioner

A short, general discussion of the needs at the Water District regarding the improvements to the system. A lobbying trip to Albany is being planned.

RESOLUTION NO. 21 OF 2012 - APPOINTMENT OF WATER COMMISSIONER

Resolved, That the Town Board of the Town of Danby appoints Eugene Beavers as Water Commissioner for the West Danby Water District for a five term, as recommended by the Board of Danby Water Commissioners. Term of office begins January 1, 2012 and expires December 31, 2016.

Moved by Race, Second by Dietrich. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

Appoint Members of the Danby Conservation Advisory Council

There was a short discussion regarding reappointing members to the CAC. There are still seats open, which may be filled in a subsequent year.

RESOLUTION NO. 22 OF 2012 - APPOINTMENT CONSERVATION ADVISORY COUNCIL MEMBERS

Resolved, That the Town Board of the Town of Danby re-appoints Mary Ann Barr, Joel Gagnon, and Daniel Klein as members of the Conservation Advisory Council for two year terms. Term of office begins January 1, 2012 and expires December 31, 2013.

Moved by Race, Second by Halton. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

Appoint Representative to the Tompkins County Environmental Management Council

There were two candidates for this position: Al Becker and Bill Halton. The Board held a discussion of the merits of both candidates and how to involve these qualified people in Town projects. Becker is also interested in serving on DEMC [Danby Emergency Management Council]. The Board directed the Clerk to send Becker a letter encouraging Becker's involvement in Town service, particularly in the area of emergency preparedness.

RESOLUTION NO. 23 OF 2012 - APPOINTMENT OF ENVIRONMENTAL MANAGEMENT COUNCIL REPRESENTATIVE

Resolved, That the Town Board of the Town of Danby appoints Bill Halton as the Town of Danby representative to the EMC. Term of office begins January 1, 2012 and expires December 31, 2013.

Moved by Klein, Second by Connors. The motion passed.

In Favor: Connors, Klein, Race

Abstained: Halton, Dietrich

Appoint Representative to the Board of Zoning Appeals

There was a general discussion of applicants to the BZA. Al Becker (whose term has run out) expressed a willingness to stay on, "until a replacement could be found." In addition, recent applicants to the Planning Board had expressed a willingness to serve on the BZA if asked.

Klein reported that Garrison is interested on serving on the BZA. There was a conversation about procedural measures as to whether a second application was needed to appoint someone to this position. Answers to experience and interest in serving could be quite different. Following discussion, it was decided to act on this appointment at the next meeting.

RESOLUTION NO. 24 OF 2012 - APPOINTMENT TO BOARD OF ZONING APPEALS

Resolved, That the Town Board of the Town of Danby appoints Gay Garrison to a five year term on the Town of Danby Board of Zoning Appeals. Term of office begins January 1, 2012 and expires December 31, 2016.

Moved by Klein, Second by Halton. The motion was withdrawn.

Appoint Town Historian

Joan Grant submitted a letter of interest in being re-appointed Town Historian. She has served in this capacity since 2001. This was the only applicant to this position.

RESOLUTION NO. 25 OF 2012 - APPOINTMENT DANBY TOWN HISTORIAN

Resolved, That the Town Board of the Town of Danby re-appoints Joan Grant as the Danby Town Historian for a one year term.

Moved by Connors, Second by Dietrich. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

Town Response to rdSGEIS

There was a short discussion of the final version of comments prepared by the Danby Gas Drilling Task Force. Members of the Board expressed their appreciation for the diligence and hard work on the part of members of the Danby Gas Drilling Task Force, contributing to preparing this 39 page document.

RESOLUTION NO. 26 OF 2012 - TOWN OF DANBY COMMENTS ON THE REVISED DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (SGEIS) ON OIL, GAS AND SOLUTION MINING, AND EXPRESSION OF SUPPORT FOR A STATEWIDE BAN ON HIGH-VOLUME HYDRAULIC FRACTURING AS RECOMMENDED BY THE TOMPKINS COUNTY LEGISLATURE

WHEREAS, the Town of Danby Town Board, along with the Town of Danby Gas Drilling Task Force has reviewed the September, 2011 Revised Draft Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program (rdSGEIS) by the New York State Department of Environmental Conservation (DEC); and

WHEREAS, if the sGEIS is approved and codified into regulations, municipalities will bear the burden of the inadequacy of those documents, and, as has occurred in other states where hydraulic fracturing is allowed, will experience detrimental changes in community character; huge increases in truck traffic; contamination of air and water resources; pressure on municipal services such as emergency response, police, hospitals, schools, jails, road maintenance, and municipal administration; and despoiling of scenic and natural resources; and

WHEREAS, the rdSGEIS fails to fully review the significant adverse impacts of hydraulic fracturing on the environment and public health, fails to acknowledge the home rule powers granted to municipalities through the State Constitution, and fails to propose sufficient mitigation measures to protect the environment and public health;

WHEREAS, the Danby Town Board is charged with protecting the health, safety, and welfare of the people of the Town; and

WHEREAS, the Town intends to abide by its Comprehensive Plan to provide a high quality of life for its residents; and

WHEREAS, the rdSGEIS, if adopted, would make that goal unachievable, and would be contrary to the home rule authority vested in the Town through the State Constitution;

NOW, THEREFORE, IT IS

RESOLVED, that the Town Board of the Town of Danby submit the attached comments to the Department of Environmental Conservation on the *Revised Draft Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program* as prepared by the Danby Gas Drilling Task Force on behalf of the Town Board; and it is

FURTHER RESOLVED, that the Town Board endorses and supports the December 20, 2011 Resolution 2011-245 of the Tompkins County Legislature which finds that until and unless a more benign technology is developed for high-volume hydraulic fracturing, 'the many continuing flaws in the Document, including failure to assess the wholesale industrialization of our rural landscape, the life cycle analysis of greenhouse gas emissions from natural gas, and cumulative socioeconomic impacts of a boom and bust extractive economy, as well as a recognition in the Document that hydraulic fracturing poses significant risks to our water resources, no new horizontal drilling involving the use of hydrofracturing should be permitted in Tompkins county and New York State'.

FURTHER RESOLVED, that the resolution and comments be also sent to Governor Andrew Cuomo; Director Jack Dahl of the NYSDEC Division of Mineral Resources; NYS Senators Dean Skelos, Brian Kolb, Tom Libous, Thomas O'Mara, James Seward, and Michael Nozzolio; Speaker Sheldon Silver; Assemblywoman Barbara Lifton; Chair of Senate Committee on Environmental Conservation Robert Sweeney; Attorney General Erik Schneiderman; U.S. Senators Charles Schumer and Kirsten Gillibrand; Secretary of the Interior Ken Salazar, Representative Richard Hanna and Representative Maurice Hinchey; EPA Administrator Lisa Jackson, EPA Region 2 Administrator Judith Enck; New York Association of Towns; New York State Association of County Health Officials; the Tompkins County Board of Health; Chair of Tompkins County Legislature.

Moved by Halton, Second by Connors. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

There was a general discussion regarding transmittal of the document to the DEC and other interested and involved parties. The “cc” list was refined to reflect those who most represent Danby or are particularly involved in the review process. Some offices will receive the document electronically.

General Work Planning

There was a lengthy discussion of the vision for scoping work in 2012. Dietrich presented a proposal which included sending a “scoping outline” to the Planning Board and other groups. This outline includes the “what, when, how, why, who” details via a list of critical issues needs/issues as relate to each group, goals for 2012, the strategy/methodology used to achieve goals, and the persons to be involved. The concept is to have a “top down/bottom up” directive for goals meet in the middle. Dietrich encouraged networking between boards and municipalities and possibly having projects managed by smaller focus groups which could use volunteers across different groups.

Beeners provided more information, particularly an sample planning tool from the Town of Ithaca. Beeners advised the TB that staff in the Town Hall is still completing work from the very active 2011 legislative year. She noted that comprehensive planning is integral to the Town of Ithaca “Sustainability Planning” outline. Beeners suggested that a broad “Sustainability” focus might be a unifying feature of the scoping directive to be sent to Danby action groups.

Beeners gave an overview of where existing unfinished zoning and local law projects are in the research and drafting process. She provided updates on the Aquifer Protection Ordinance and designation of Critical Environmental Areas. Beeners noted that there is no set requirement for a timeline in which a Comprehensive Plan must be reviewed. 10-15 years is recommended. Beeners recommended that the Planning Board assess the Comp Plan as to what has changed since 2003, what goals have been met, what might be revised or added to. A policy document, as an amendment to the Comp Plan, might be suitable. These considerations could be part of the Planning Board scoping effort.

The scoping discussion included Planning Board Chair, Roe. Roe stated that “determining priorities” is on the agenda for the first PB meeting. He used the example of reviewing wind tower zoning.

Klein supported the investigation of Wind Tower legislation, over a detailed review of the Comprehensive Plan. Klein suggested that this was a good opportunity to tie up loose ends of unfinished projects. While gas drilling and heavy industry is the biggest threat to Danby’s rural way of life, housing development is high in Klein’s concerns for the town. He would like to take this opportunity to review zoning in light of growth. Klein repeated an understanding that the planning/scoping process will be a two way street between the TB and other boards and action groups in Danby.

Town Clerk was directed to provide scoping outline to all boards/committees/task forces/councils set to meet in the next month.

Amicus Brief/Join Defense Fund

There was a short discussion about whether Danby wishes to weigh in on this topic. The discussion will continue at the next meeting. This brief may not be useful until the time of an appeal in the Dryden or Middlefield suits.

Adjournment

The Meeting was adjourned at 9:20pm.

Pamela S Goddard, Town Clerk

Appendix A

Questions were aired about the wording of the proposed Road Use Law during a Public Information meeting on October 17 and the subsequent Public Hearing for that Law on November 14.

Specifically, that law states, in part, that, "Person means any one or more persons, corporations, partnerships, limited liability companies, or other entities." To put it another way, for the purpose of that law, a corporation is referred to as a person.

During the Public Information meeting, the Town Attorney stated that changing the defined term, "person," to another, less sensitive, term would have no effect on the law. He stated that the change could be made on request by any Town Board member. No member responded.

This kind of definition is not unusual in the wording of laws, whether passed at the local or the national level. In the context of this law, the wording does not guarantee any additional rights to corporations, nor does it restrict their activities, relative to people; legally "people" are simply "natural born persons" while corporations are one example of an "artificial person." It would be fair to say that any change to the wording of this law would be symbolic. However, symbols are powerful things.

Symbols, used effectively and often enough, influence actual rules.

At the time of the Town Board meetings, the Occupy Wall Street protest had been active for somewhat more than a month. Although many have wondered what the goals of that movement are, one of its clear slogans, and one that has struck a chord in the minds of a large majority of the American public, is "Corporations Are Not People."

Since the passage of Danby's Road Use Law, an increasing number of cities --New York, Los Angeles, Seattle come to mind-- have begun passing symbolic resolutions opposing the idea that corporations have the same rights as people. Unlike the cities, whose resolutions are non-binding, the entire State of Montana has restricted the use of corporate funding for political activity. At a time when the "word on the street" has been moving in one direction, the Town of Danby chose to make a symbolic move in the other direction.

This is a call on the Town Board of the Town of Danby to reverse its symbolic action, and to begin moving in the opposite direction. Specifically:

- 1) The Town should resolve to differentiate, whenever possible, between people and corporations, and to use terminology that does not symbolically equate the two. Further, the Town should resolve not to grant to "artificial persons" (that is, corporations) any right or privilege that are not also granted to natural-born persons, and to carefully determine whether any rights or privileges granted to "artificial persons" are strictly necessary for that "artificial person" to achieve its legal purpose.

- 2) The Town should begin a systematic review of its laws and procedures, and enact whatever changes are required to retroactively bring those documents into conformance with the goals stated in item (1).

- 3) The Town may also consider adding its voice to those of other cities, with respect to a clearly not-symbolic grant of rights to corporations: the Citizens United decision by the Supreme Court. Corporations should not be allowed to influence the electoral process. The New York City resolution, with small changes to adapt it for the Town of Danby, is attached as an example.

Whereas, In 2010 the United States Supreme Court issued its decision in Citizens United v. Federal Election Commission, holding that independent spending on elections by corporations and other groups could not be limited by government regulations; and

Whereas, This decision rolled back the legal restrictions on corporate spending in the electoral process, allowing for unlimited corporate spending to influence elections, candidate selection, and policy decisions; and

Whereas, In reaching its decision, a majority of the Supreme Court, relying on prior decisions, interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons; and

Whereas, In his eloquent dissent, Justice John Paul Stevens rightly recognized that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established"; and

Whereas, The Court's decision in Citizens United severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity; and

Whereas, Corporations should not be afforded the entirety of protections or "rights" of natural persons, such that the expenditure of corporate money to influence the electoral process is a form of constitutionally protected speech; and

Whereas, several proposed amendments to the Constitution have been introduced in Congress that would allow governments to regulate the raising and spending of money by corporations to influence elections; now, therefore, be it

Resolved, That the Town Board of the Town of Danby opposes the Supreme Court's interpretation of the Constitution in Citizens United regarding the constitutional rights of corporations, and supports amending the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, and calls on Congress to begin the process of amending the Constitution.