At a Town Board Meeting of the Kendall Town Board, held on March 19, 2013 at the Kendall Town Hall, 1873 Kendall Road, Kendall, New York, Orleans County:

Councilman Schuth made the following motion, seconded by Councilman Pritchard:

**RESOLUTION 39-0313 RESOLUTION CALLING ON THE NEW YORK STATE LEGISLATURE TO ENACT, AND GOVERNOR CUOMO TO SIGN INTO LAW, SUCH LEGISLATION AS SHALL PROTECT THE PRIVACY OF NEW YORK STATE PISTOL LICENSE AND CONCEALED CARRY PERMIT HOLDERS**

 WHEREAS, the Second Amendment to the Constitution of the United States clearly states that “the right of the people to keep and bear Arms, shall not be infringed;” and

WHEREAS, Article XII of the Constitution of the State of New York clearly states, “The defense and protection of the state and of the United States is an obligation of all persons within the state;” and

WHEREAS, the right to privacy of citizens, particularly within the confines of their own homes, is a cherished American tradition growing out from the Fourth, Ninth, and Fourteenth Amendments, and a right affirmed by the United State Supreme Court; and

WHEREAS, The Journal News, a liberal newspaper based in Westchester County, did obtain through Freedom of Information Law filings, the names and addresses of pistol permit holders in Westchester and Rockland counties, and has demanded the same in Putnam County, and may seek such information anywhere in the State of New York under the same law; and

WHEREAS, said liberal publication, The Journal News, did then use said pistol permit information to create an interactive map of pistol permit owners’ homes; and

WHEREAS, in addition to jeopardizing the privacy of citizens exercising their Second Amendment rights, this also jeopardizes the safety of those citizens who have elected not to exercise their Constitutional right to keep and bear arms by identifying for criminals which households are less likely to resist an invasion; and

WHEREAS, this information has already been utilized by criminals currently incarcerated at the Rockland County Jail, who have taunted guards there by informing them they now know their home addresses, such information having been gleaned from the interactive maps created by The Journal News; and

WHEREAS, the Honorable Dennis Sant, County Clerk for Putnam County, having received the same Freedom of Information Law request, has refused to comply in order to protect his county’s citizens; and

WHEREAS, the Honorable Michael H. Ranzenhofer of Clarence and several colleagues in the Senate did introduce S.2360 during the 2012 session, and the Honorable Gregory R. Ball of Patterson, in Putnam County, did, while serving in the Assembly, introduce in various years, similar legislation; and

WHEREAS, said legislation was unable to gain passage because the leadership of the New York State Assembly, including Speaker Sheldon Silver, refused to allow it to be acted on in committee; and

WHEREAS, Senator Ball has indicated he will introduce such legislation again this session; and

 WHEREAS, it is the right of the citizens of the Town of Kendall to take any reasonable measures necessary to be secure in their homes against criminals and other dangerous trespassers; now, therefore, be it

 RESOLVED, that the Kendall Town Board does hereby call upon the New York State Legislature to set as a top legislative priority the passage of legislation amending §400 Subdivision 5 of the Penal Law, to make confidential the personal information of pistol permit holders and applicants; and be it

 FURTHER RESOLVED, that the Kendall Town Board calls upon the leadership of the New York State Assembly to cease its blocking of such legislation; and be it

 FURTHER RESOLVED, that the Kendall Town Board calls upon its full delegation to the New York State Assembly to vote in the affirmative on any bill as shall increase protection of the identities of pistol permit holders, except as such protections shall be included with legislation that restricts the Second Amendment rights of New Yorkers, and be it

 FURTHER RESOLVED, that the Kendall Town Board does hereby call upon the New York State Senate to vote upon, and pass, such legislation immediately; and be it

 FURTHER RESOLVED, that the Kendall Town Board calls upon Governor Cuomo to endorse such legislation and sign it into law immediately upon its enactment by the New York State Legislature; and be it

 FURTHER RESOLVED, that the Kendall Town Board commends the Honorable Dennis Sant for his execution of his charge, namely protecting the right to privacy of his county’s citizens; and be it

####  FURTHER RESOLVED, that the Town of Kendall shall forward copies of this Resolution to Governor Cuomo, Senate Vice President Pro Tem George D. Maziarz; Member of Assembly Steve Hawley; Speaker of the Assembly Sheldon Silver, Assembly Majority Leader Joseph D. Morelle, Assembly Minority Leader Brian M. Kolb, Orleans County Chapter of SCOPE; NYSAT; and all others deemed necessary and proper.

Supervisor Gaesser called for a roll call vote, with the following results:

 Councilman Pritchard aye

 Councilman Schuth aye

 Councilwoman Szozda aye

 Supervisor Gaesser aye

Supervisor Gaesser declared the motion carried.

(Clerk’s note: Councilman Joseph was excused from this meeting.)

STATE OF NEW YORK:

COUNTY OF ORLEANS: ss

TOWN OF KENDALL

 I, Amy K. Richardson, Town Clerk of the Town of Kendall, County of Orleans, and State of New York, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Town Board of the Town of Kendall, on the 19th day of March, 2013 with the original now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

Dated: March 21, 2013

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