

WITHDRAWN BY SPONSOR

Draft Resolution No. 208 September 19, 2012

Directing the Ulster County Department of the Environment To Assist Ulster County Municipalities To Enact Local Ordinances Prohibiting Hydraulic Fracturing

Referred to: The Environmental, Energy and Technology Committee (Chairman Belfiglio and Legislators Lopez, Ronk, Wawro, Bartels, John Parete and Wishnick) offer the following:

Legislator Robert Aiello offers the following:

WHEREAS, there are a number of companies that are interested in drilling and hydraulic fracturing, commonly known as “fracking,” for natural gas in the Marcellus Shale formation in New York State; and

WHEREAS, fracking could endanger private wells and municipal aquifers by contaminating these water supplies; and

WHEREAS, this danger has given municipalities a reason to ban fracking within their borders through zoning laws; and

WHEREAS, the ban on fracking is a matter of Home Rule and can only be done by a village, town, or city; and

WHEREAS, there were two recent New York Supreme Court decisions that upheld local laws that banned fracking; and

WHEREAS, the Ulster County Legislature desires to assist municipalities in their pursuit to ban fracking; and

WHEREAS, the Ulster County Department of the Environment has defined one of its functions to be “exploring ways to enhance environmental stewardship within County government and communities”: and

WHEREAS, the Ulster County Department of the Environment has the resources to assist local municipalities in their pursuit to ban fracking; now, therefore, be it

RESOLVED, the Ulster County Department of the Environment shall obtain copies of the court upheld local laws and other relevant adopted or proposed local laws which, in the discretion of the Coordinator of the Department of the Environment would be helpful to Ulster County localities who are contemplating local laws relative to fracking, and make such local laws and information available to

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Ulster County municipalities as well as collect information in furtherance of the prohibition of fracking in Ulster County communities and make such information available to interested municipalities by publishing the same on the website of the Department of the Environment and/or on the Ulster County home page on the internet;

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES

Passed Committee: Environmental, Energy and Technology Committee on
_____.

FINANCIAL IMPACT:

NONE