Resolution No. 245 October 16, 2012

Establishing A County Policy Requiring The Posting of Information On the County Website 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 Legislature does not support the practice of hydraulic fracturing; now, therefore, be it

RESOLVED, that the policy of Ulster County shall be that links to resources on the regulations or prohibition of hydraulic fracturing be posted prominently on the County website; and

RESOLVED, upon posting of the links, the Clerk of the Legislature will provide appropriate municipal notification;

and moves its adoption.

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ADOPTED BY THE FOLLOWING VOTE AYES: 18 NOES: 4 (Noes: Legislators Gerentine, Harris, Maio and Roberts) (Absent: Legislator Belfiglio) Passed Committee: Environmental, Energy and Technology Committee on October 4, 2012 FINANCIAL IMPACT: NONE STATE OF NEW YORK SS: COUNTY OF ULSTER This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of October, 2012, and that the same is a true and correct transcript of said resolution and of the IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 17th Day of October in the year Two Thousand and Twelve. s Victoria A. Fabella Victoria A. Fabella, Clerk Ulster County Legislature Approved by the County Executive this Submitted to the County Executive this 17th Day of October, 2012. Day of October, 2012.

Michael P. Hein, County Executive

|s| Victoria A. Fabella Victoria A. Fabella, Clerk Ulster County Legislature