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 whole thereof.

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.

[Signature]
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this 17th Day of October, 2012.

Approved by the County Executive this ____ Day of October, 2012.

[Signature]
Michael P. Hein, County Executive