

Resolution #66, 2008

RESOLUTION – ADDRESSING TOWN ROAD IMPACTS RELATIVE TO NATURAL GAS EXPLORATION & DEVELOPMENT AND REQUESTING HOMERULE AUTHORITY FROM THE STATE OF NEW YORK ON IMPLEMENTING ROAD ASSESSMENT FEES, PERFORMANCE BONDS, AND STEEL TANK STORAGE REQUIREMENTS

WHEREAS: the Town of Lumberland is in need of addressing possible road impacts relative to the natural gas exploration and development and production of mineral oil, and gas resources within the Town, and

WHEREAS: the Town of Lumberland is also in need of requesting Home Rule Authority from the State of New York on implementing road assessment fees, performance bonds, and requiring steel tank storage of fracing material per well site to protect the health, safety and welfare of the Town, and

WHEREAS: drilling and fracing usually involves the use of heavy equipment, including large trucks and related equipment, and often excessive amounts of noise, light, and potential damage to public roads and streets.

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland approves addressing the possible road impacts relative to gas drilling within the Town and request Home Rule Authority from the State of New York to implement assessment fees, bonds, and requirements relevant to gas drilling, and

FURTHER BE IT RESOLVED: that a certified copy of this resolution be filed with the New York State Department of State, Office of Assembly, Office of NYS Senate, and the Governor's Office to convey that necessary action is needed to update New York Environmental Conservation Law, Section 23-0303 to allow for more local influence in protecting the health, safety, and welfare of Town residents.

MOTION BY: Supervisor John LiGreci

SECOND BY: Councilman Faber Wilson

VOTE: 5 - 0

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

VIRGINIA V. HORN

TOWN CLERK

AUGUST 13, 2008