

RESOLUTION NO. 82-10

**TOWN OF LEBANON REQUEST FOR MOVING COMPULSORY
INTEGRATION HEARING BY NYS DEC FROM ALBANY TO LEBANON AND
MADISON COUNTY CONCERNING SPACING HEARING NOTIFICATION
REGARDING GEER ROAD CAMPBELL CEMETERY**

WHEREAS, development of New York's natural gas resources has been viewed by many as being of benefit to the State as a whole, its future potential could be furthered enabled by ensuring improved oversight of the industry as it relates to Local Government and property owner concerns, and

WHEREAS, under the existing state law, the New York State Department of Environmental Conservation (DEC) has principal oversight over the natural gas industry in the areas of environmental oversight and gas well permitting and drilling, and the granting of Spacing Units, and Compulsory Integration of non-leased properties, and

WHEREAS, the Town of Lebanon has been notified by mail as of Oct. 18, 2010 that there will be a compulsory integration hearing regarding the historical Campbell Cemetery on Geer Road that the town maintains, and

WHEREAS, Norse Energy Corp has proposed to compulsory integrate .48 acres of this cemetery into its proposed Spacing Unit and lists a public hearing that will be held in Albany on Nov. 17, 2010, and

WHEREAS, the Town of Lebanon Town Board and its residents consider this cemetery to have historic value as some significant local participants in the American Abolitionist movement are reported to have been buried in that cemetery, and

WHEREAS, the Town of Lebanon Town Board intends to hold its own public hearing about the proposal by Norse Energy Corp to request a lease agreement with the township over this parcel, and

WHEREAS, it would be viewed as a hardship for local residents who may be concerned about this proposed lease, compulsory integration and Spacing Unit to be able to attend the public hearing in Albany given the distance and time of day, and

WHEREAS, there is precedence as the New York State Department of Environmental Conservation, at the request of Assemblyman Magee, did move a Spacing Unit hearing to the Colgate Inn in Hamilton in 2004 to address local concerns,

NOW THEREFORE BE IT RESOLVED, that the Lebanon Town Board requests that Assemblyman William Magee and State Senator David Valesky intercede on behalf of the Town of Lebanon and require the DEC to hold this Compulsory Integration Hearing on the Whitney #1 well expansion that includes the Campbell Cemetery in the Spacing Unit in the Town of Lebanon so that local residents and town officials may be able to participate in the process, and

BE IT ALSO FURTHER RESOLVED, that the Lebanon Town Clerk forward copies of this adopted resolution to the DEC office in Avon, the DEC Commissioner's office, Assemblyman Magee, State Senator Valesky, Governor Patterson, Senate Majority Leader Malcolm Smith, Assembly Speaker Sheldon Silver and the appropriate chairs of the relevant state Environmental Conservation and Finance, Ways and Means Committees for each of the houses of the state Legislature, and the Association of Towns of the State of New York and the New York State Association of Counties.

On Motion Of


James Goldstein, Supervisor, Chair, Administration and Oversight

Seconded by



Vote: King AB

Hartshorn ✓

Wilcox ✓

Morgan AB

Goldstein ✓

Approved ✓

Defeated

Dated: Oct. 25, 2010